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ARTICLES

OF

Charge of High Crimes and Misdemeanors,

AGAINST

WARREN HASTINGS, Esq.

Late Governor General of Bengal;

Presented to the House of Commons, on the 4th Day of April 1786,

By the Right Hon. EDMUND BURKE.

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The words in Italics, and thoſe encloſed by inverted commas, are extracted from authorities, preſerved in the records of the Honourable the Eaſt India Company; references to which will be given at the concluſion.

A R T I C L E S

O F

;harge of High Crimes and Miſdemeanors,

AGAINST

WARREN HASTINGS, Esq.

No. I.

THAT the Court of Directors of the Eaſt India Company, from a juſt ſenſe of the danger and lium incident to the extenſion of their conqueſts in e Eaſt Indies, and from an experience of the diſ- ders and corrupt practices, which intrigues and ne- ciations to bring about revolutions among the coun- y powers had produced, did poſitively and repeated- direct their ſervants in Bengal not to engage in any fenſive war whatſoever :—That the ſaid Court laid it own as an *invariable maxim, which ought ever to be aintained, that they were to avoid taking part in the po- ical ſchemes of any of the country princes*; and did, in articular, order and direct, that they ſhould not en- ge with a certain Prince called Sujah ul Dowla, Na- b of Oude, and Vizier of the Empire, in any ope- tions, beyond certain limits in the ſaid orders ſpecially eſcribed.

 That

That Warren Haſtings, Eſquire, then Governor of Fort William in Bengal, did, with other Members of the Council, declare his clear underſtanding of the true intent and meaning of the ſaid poſitive and repeated orders and injunctions;—did expreſs to the Court of Directors his approbation of the policy thereof;—did declare, that he adopted the ſame *with ſincerity and ſatisfaction*, and that he was *too well aware of the ruinous tendency of all ſchemes of conqueſt, ever to adopt them, or ever to depart from the abſolute line of ſelf-defence, unleſs impelled to it by the moſt obvious neceſſity*;—did ſignify to the Nabob of Oude the ſaid orders, and his obligation to yield punctual obedience thereto; and did ſolemnly engage and promiſe to the Court of Directors, with the *unanimous concurrence* of the whole Council, "That no object or conſideration ſhould "either tempt or compel him to paſs the political line, "which they (the Directors) had laid down for his "operations with the Vizier;" aſſuring the Court of Directors, that he "ſcarce ſaw a poſſible advantage, "which could compenſate the hazard and expence to "be incurred by a contrary conduct:"——That he did frequently repeat the ſame declarations, or declarations to the ſame effect, particularly in a letter to the Nabob himſelf of the 22d of November 1773, in the following words: "The commands of my ſuperiors "are, as I have repeatedly informed you, peremptory, "that I ſhall not ſuffer their arms to be carried beyond "the line of their own boundaries, and thoſe of your "Excellency their Ally."

That the ſaid Warren Haſtings, in direct contradiction to the ſaid orders, and to his own ſenſe of their propriety and coercive authority, and in breach of his expreſs promiſes and engagements, did, in September 1773, enter into a private engagement with the ſaid Nabob of Oude, who was the ſpecial object of the prohibition, to furniſh him, for a ſtipulated ſum of money, to be paid to the Eaſt India Company, with a body of troops, for the declared purpoſe of "thorougly extirpating the nation of the Rohillas;"—

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a nation, from whom the Company had never received, or pretended to receive or apprehend, any injury whatſoever; whoſe country, in the month of February 1773, by an unanimous Reſolution of the ſaid Warren Haſtings and his Council, was included in the line of defence againſt the Marattas, and from whom the Nabob never complained of an aggreſſion or act of hoſtility, nor pretended a diſtinct cauſe of quarrel, other than the non-payment of a ſum of money in diſpute between him and that people.

That ſuppoſing the ſum of money in queſtion to have been ſtrictly due to the ſaid Nabob, by virtue of any engagement between him and the Rohilla Chiefs, the Eaſt India Company, or their repreſentatives, were not parties to that engagement, or guarantees thereof, nor bound by any obligation whatever to enforce the execution of it.

That, previous to the ſaid Warren Haſtings's entering into the agreement or bargain foreſaid, to extirpate the ſaid nation, he did not make, or cauſe to be made, a due enquiry into the validity of the ſole pretext uſed by the ſaid Nabob; nor did he give notice of the ſaid claims of debt to the nation of the Rohillas, in order to receive an explanation on their part of the matter in litigation, nor did he offer any mediation, nor propoſe, nor afford an opportunity of propoſing, an agreement or ſubmiſſion, by which the calamities of war might be avoided; as, by the high ſtate in which the Eaſt India Company ſtood as a Sovereign Power in the Eaſt, and the honour and character it ought to maintain, as well as by the principles of equity and humanity, and by the true and obvious policy of uniting the power of the Mahometan Princes againſt the Marattas, he was bound to do: That, inſtead of ſuch previous enquiry, or tender of good offices, the ſaid Warren Haſtings did ſtimulate the ambition and ferocity of the Nabob of Oude to the full completion of the inhuman end of the ſaid unjuſtifiable enterprize, by informing him, "that it would be abſolute-

" ly neceſſary to perſevere in it until it ſhould be ac-
" compliſhed ;" pretending, that a fear of the Company's diſpleaſure was his motive for annexing the accompliſhment of the enterprize as a condition of his aſſiſtance, and aſſerting, " that he could not hazard or " anſwer for the diſpleaſure of the Company, his maſ-" ters, if they ſhould find themſelves involved in a " *fruitleſs* war, or in an expence for proſecuting it ;" a pretence tending to the high diſhonour of the Eaſt India Company, as if the gain to be acquired was to reconcile that body to the breach of their own orders, prohibiting all ſuch enterprizes. And in order further to involve the ſaid Nabob beyond the power of retreating, he did, in the courſe of the proceeding, purpoſely put the ſaid Nabob under difficulties in caſe he ſhould decline that war, and did oblige him to accept even the permiſſion to relinquiſh the execution of this unjuſt project as a favour, and *to make conceſſions for it*; thereby acting as if the Company were principals in the hoſtility; and employing for this purpoſe much double dealing, and divers unworthy artifices, to entangle and perplex the ſaid Nabob, but by means of which he found himſelf (as he has entered it on Record) *hampered, and embarraſſed in a particular manner.*

That the ſaid compact for offenſive alliance in favour of a great Prince, againſt a conſiderable nation, was not carried on by projects and counter-projects in writing ; nor were the articles and conditions thereof formed into any regular written inſtrument, ſigned and ſealed by the parties ; but the whole (both the negociation and the compact of offenſive alliance againſt the Rohillas) was a mere verbal engagement, the purport and conventions whereof no where appeared, except in ſubſequent correſpondence, in which certain of the Articles, as they were ſtated by the ſeveral parties, did materially differ ;—a proceeding new and unprecedented, and directly leading to mutual miſconſtruction, evaſion, and ill faith, and tending to encourage and protect every ſpecies of corrupt, clandeſtine practice :—

vice:—That, at the time when this private verbal agreement was made by the said Warren Hastings with the Nabob of Oude, a public ostensible treaty was concluded by him with the said Nabob, in which there is no mention whatever of such agreement, or reference whatever to it; in defence of which omission, it is asserted by the said Warren Hastings, that *the multiplication of Treaties weakens their efficacy, and therefore they should be reserved only for very important and permanent obligations*; notwithstanding he had previously declared to the said Nabob, "that the points, which he had "proposed, required much consideration, and the previous ratification of a formal agreement before he "could consent to them."—That the whole of the said verbal agreement with the Nabob of Oude in his own person, without any assistance on his part, was carried on and concluded by the said Warren Hastings alone, without any person who might witness the same; without the intervention even of an interpreter, though he confesses that he spoke the Hindostan language *imperfectly*, and although he had with him at that time and place, several persons high in the Company's service and confidence; namely, the Commander in Chief of their forces, two members of their Council, and the Secretary to the Council, who were not otherwise acquainted with the proceedings between him and the said Nabob, than by such communications as he thought fit to make to them.

That the object avowed by the said Warren Hastings, and the motives urged by him, for employing the British arms in the utter extirpation of the Rohilla nation, are stated by himself in the following terms: "The acquisition of forty lacks of rupees to the Company, and of so much specie added to the exhausted "currency of our Provinces;—that it would give "wealth to the Nabob of Oude, of which we should "participate;—that the said Warren Hastings *should* "always be ready to profess that he did reckon the "probable acquisition of wealth among his reasons "for taking up arms against his *neighbours*;—that it

"would

"would eaſe the Company of a conſiderable part of "their military expence, and preſerve their troops from "inaction and relaxation of diſcipline;—that the weak "ſtate of the Rohillas promiſed an eaſy conqueſt of "them; and, finally, that ſuch was his idea of the "Company's diſtreſs at home, added to his know-"ledge of their wants abroad, that he ſhould have "been glad of *any* occaſion to employ their forces, "which ſaved ſo much of their pay and expences."

That, in the private verbal agreement aforeſaid, for offenſive war, the ſaid Warren Haſtings did tranſgreſs the bounds of the authority given him by his inſtructions from the Council of Fort William, which had limited his powers to ſuch compacts "as were con-"ſiſtent with the ſpirit of the Company's orders;" which Council he afterwards perſuaded, and with difficulty drew into an acquieſcence in what he had done.

That the agreement, to the effect aforeſaid, was ſettled in the ſaid ſecret conferences, before the 10th of September 1773; but the ſaid Warren Haſtings, concealing from the Court of Directors a matter of which it was his duty to afford them the earlieſt and fulleſt information, did, on the ſaid 10th of September 1773, write to the Directors, and diſpatched his letter over land, giving them an account of the public treaty, but taking not the leaſt notice of his agreement for a mercenary war againſt the nation of the Rohillas.

That, in order to conceal the true purport of the ſaid clandeſtine agreement the more effectually, and until he ſhould find means of gaining over the reſt of the Council to a concurrence in his diſobedience of orders, he entered a minute in the Council Books, giving a falſe account of the tranſaction; in which minute he repreſented, that the Nabob had indeed *propoſed* the deſign aforeſaid, and that he (the ſaid Warren Haſtings) *was pleaſed that he urged the ſcheme of*

of this expedition no further; when, in reality and truth, he had abſolutely conſented to the ſaid enterprize, and had engaged to aſſiſt him in it (which he afterwards admitted) and confeſſed that he did act in conſequence of the ſame.

That the ſaid Warren Haſtings and his Council were ſenſible of the true nature of the enterprize in which they had engaged the Company's arms, and of the heavy reſponſibility to which it would ſubject himſelf and the Council, "the perſonal hazard they, "the Council, run, in undertaking ſo *uncommon* a "meaſure, without *poſitive* inſtructions, at their own "riſk, with the eyes of the whole nation on the affairs "of the Company, and the paſſions and prejudices of "almoſt every man in England inflamed againſt the "conduct of the Company, and the character of its "ſervants;"—yet they engaged in the very practice, which had brought ſuch odium on the Company, and on the character of its ſervants, though they further ſay, that they had continually before *their eyes, the dread of forfeiting the favour of their employers*, and becoming the "objects of *popular* invectives." The ſaid Warren Haſtings himſelf ſays, at the very time when he propoſed the meaſure, "I muſt confeſs, I enter-"tain ſome doubts as to its expediency at this time, "from the circumſtances of the *Company* at home, "expoſed to *popular* clamour, and all its meaſures "liable to be canvaſſed in *Parliament*; their charter "drawing to a cloſe, and his Majeſty's Miniſters "unqueſtionably ready to take advantage of every "unfavourable circumſtance in the negotiations of "its renewal." All theſe conſiderations did not prevent the ſaid Warren Haſtings from making and carrying into execution the ſaid mercenary agreement for a ſum of money, the payment of which the Nabob endeavoured to evade on a conſtruction of the verbal treaty; and was ſo far from being inſiſted on, as it ought to have been, by the ſaid Warren Haſtings, that when, after the completion of the ſervice, the Commander in Chief was directed to make a demand

mand of the money, the agent of the ſaid Warren Haſtings at the ſame time aſſured the Nabob, " that " the demand was nothing more than matter of form, " common, and even neceſſary in all public tranſac- " tions; and that, although the Board conſidered the " claim of the Government literally due, it was not " the intention of adminiſtration to preſcribe to his " Excellency *the mode, or even limits of payment.*" Nor was any part of the money recovered until the eſtabliſhment of the Governor General and Council by Act of Parliament, and their determination to withdraw the brigade from the Nabob's ſervice; the Reſident at his Court, appointed by the ſaid Warren Haſtings, having written *that he had experienced much duplicity and deceit in moſt of his tranſactions with his Excellency*; and the ſaid Nabob and his ſucceſſors falling back in other payments in the ſame or greater proportion, as he advanced in the payment of this debt; the conſideration of lucre to the Company, the declared motive to this ſhameful tranſaction, totally failed, and no money in effect and ſubſtance (as far as by any account to be depended on appears) has been obtained.

That the ſaid Nabob of Oude did, in conſequence of the ſaid agreement, and with the aſſiſtance of Britiſh troops, which were ordered to march, and ſubjected to his diſpoſal by the ſaid Warren Haſtings and the Council, unjuſtly enter into and invade the country of the Rohillas, and did there make war in a barbarous and inhuman manner, " by an abuſe of " victory;" " by the unneceſſary deſtruction of the " country;" " by a wanton diſplay of violence and " oppreſſion, of inhumanity and cruelty;" and " by the " ſudden expulſion and caſting down of an whole race " of people, to whom the ſlighteſt benevolence was " denied." When prayer was made not to diſhonour the Begum (a Princeſs of great rank, whoſe huſband had been killed in battle) and other women, by *dragging them about the country, to be loaded with the ſcoffs of the Nabob's rabble, and otherwiſe ſtill worſe uſed*; the Nabob refuſed to liſten to the intreaties of a Britiſh Commander

Commander in Chief in their favour; and the ſaid women of high rank were expoſed not only to the vileſt perſonal indignities, but even to abſolute want; and theſe tranſactions being by Colonel Champion communicated to the ſaid Warren Haſtings, inſtead of commendations for his intelligence, and orders to redreſs the ſaid evils, and to prevent the like in future, by means which were ſuggeſted, and which appear to have been proper and feaſible, he received a reprimand from the ſaid Warren Haſtings, who declared that we had no authority to controul the conduct of the Vizier in the treatment of his ſubjects: And that Colonel Champion deſiſted from making further repreſentations on this ſubject to the ſaid Warren Haſtings, being apprehenſive of having already run ſome riſque of diſpleaſing, by perhaps a too free communication of ſentiments.—That in conſequence of the ſaid proceedings, not only the eminent families of the Chiefs of the Rohilla nation were either cut off or baniſhed, and their wives and offspring reduced to utter ruin, but the country itſelf, heretofore diſtinguiſhed above all others for the extent of its cultivation, as a *Garden*, not having *one ſpot* in it of *uncultivated* ground, and from being *in the moſt flouriſhing ſtate that a country could be*, was, by the inhuman mode of carrying on the war, and the ill government during the conſequent uſurpation, reduced to a ſtate of great decay and depopulation, in which it ſtill remains.

That the Eaſt India Company, having had reaſon to conceive that, for the purpoſe of concealing corrupt tranſactions, their ſervants in India had made unfair, mutilated, and garbled communications of correſpondence, and ſometimes had wholly withheld the ſame, made an order in their letter of the 23d of March 1770, in the following tenor:—" The Governor ſingly " ſhall correſpond with the country powers; but *all* " letters, before they ſhall be by him ſent, muſt be " communicated to the other Members of the Select " Committee, and receive their approbation; and alſo " *all* letters *whatſoever* which may be received by the

C "Governor,

" Governor, in anſwer to or in courſe of correſpon-
" dence, ſhall likewiſe be laid before the ſaid Select
" Committee, for their information and conſidera-
" tion."—And that in their inſtructions to their Governor General and Council, dated 30th March 1774, they did repeat their orders to the ſame purpoſe and effect.

That the ſaid Warren Haſtings did not obey, as in duty he was bound to do, the ſaid ſtanding orders; nor did communicate all his correſpondence with Mr. Middleton, the Company's Agent at the Court of the Soubah of Oude, or with Colonel Champion, the Commander in Chief of the Company's Forces in the Rohilla war, to the Select Committee: And when afterwards, that is to ſay, on the 25th of October 1774, he was required by the majority of the Council appointed by the Act of Parliament of 1773, whoſe opinion was by the ſaid Act directed to be taken as the Act of the whole Council, to produce *all* his correſpondence with Mr. Middleton and Colonel Champion, for the direction of their future proceedings, relative to the obſcure, intricate, and critical tranſaction aforeſaid, he did poſitively and pertinaciouſly refuſe to deliver any other than ſuch parts of the ſaid correſpondence as he thought convenient; covering his ſaid illegal refuſal under general vague pretences of ſecrecy, and danger from the communication; although the ſaid order and inſtruction of the Court of Directors above-mentioned was urged to him, and although it was repreſented to him by the ſaid Council, that they, as well as he, were bound by an oath of ſecrecy: Which refuſal to obey the orders of the Court of Directors (orders ſpecially and on weighty grounds of experience pointed to caſes of this very nature) gave riſe to much jealouſy, and excited great ſuſpicions relative to the motives and grounds on which the Rohilla War had been undertaken.

That the ſaid Warren Haſtings, in the grounds alledged in his juſtification, of his refuſal to communicate to

to his colleagues in the ſuperior Council, his correſpondence with Mr. Middleton, the Company's reſident at Oude, was guilty of a new offence; arrogating to himſelf unprecedented and dangerous powers, on principles utterly ſubverſive of all order and diſcipline in ſervice, and introductory to corrupt confederacies and diſobedience among the Company's ſervants; the ſaid Warren Haſtings inſiſting, that Mr. Middleton, the Company's covenanted ſervant, the public reſident for tranſacting the Company's affairs at the Court of the Soubah of Oude, and as ſuch receiving from the Company a ſalary for his ſervice, was no other than the *official agent* of him the ſaid Warren Haſtings, and that, being ſuch, he was not obliged to communicate his correſpondence.

That the Court of Directors, and afterwards a General Court of the Proprietors of the Eaſt India Company, although the latter ſhewed favourable diſpoſitions towards the ſaid Warren Haſtings, and expreſſed (but without aſſigning any ground or reaſon) the higheſt opinion of his ſervices and integrity, did unanimouſly condemn (along with his conduct relative to the Rohilla treaty and war,) his refuſal to communicate his whole correſpondence with Mr. Middleton to the Superior Council; yet the ſaid Warren Haſtings, in defiance of the opinion of the Directors, and the unanimous opinion of the General Court of the ſaid Eaſt India Company, as well as the precedent poſitive orders of the Court of Directors, and the injunctions of an Act of Parliament, has, from that time to the preſent, never made any communication of the whole of his correſpondence to the Governor General and Council, or to the Court of Directors.

No. II.

THAT, in a ſolemn Treaty of Peace, concluded the 16th of Auguſt 1765, between the Eaſt India Company and the late Nabob of Oude, Shuja ul Dowla, and highly approved of, confirmed, and ratified by the ſaid Company, it is agreed, " That the King Shaw " Allum ſhall remain in full poſſeſſion of Cora, and " ſuch part of the Province of Illiabad as he now poſ- " ſeſſes, which are ceded to his Majeſty as a royal De- " meſne, for the ſupport of his Dignity and Expen- " ces."—That, in a ſeparate agreement, concluded at the ſame time, between the King Shaw Allum, and the then Subadar of Bengal, under the immediate ſecurity and guaranty of the Engliſh Company, the Faith of the Company was pledged to the ſaid King for the annual payment of twenty-ſix lack of rupees, for his ſupport, out of the revenues of Bengal; and that the ſaid Company did then receive from the ſaid King a grant of the Dewanny of the provinces of Bengal, Bahar, and Oriſſa, on the expreſs condition of their being ſecurity for the annual payment abovementioned; —That the Eaſt India Company have held, and continue to hold the Dewanny ſo granted, and, for ſome Years, have complied with the conditions, on which they accepted of the grant thereof; and have at all times acknowledged that they held the Dewanny *in virtue of the Mogul's grants.*—That the ſaid Court of Directors, in their letter of the 30th June 1769, to Bengal, declared, " that they eſteemed themſelves " bound by treaty to protect the King's perſon, and " ſecure him the poſſeſſion of the Corah and Illaha- " bad diſtricts;" and, ſuppoſing an agreement ſhould be made, reſpecting theſe provinces, between the King and Shuja ul Dowla, the Directors then ſaid, " that " they ſhould be ſubject to no farther claim or requi- " ſition from the King, excepting from the ſtipulated " tribute for Bengal, which they (the Governor and " Council) were to pay to his agent, or remit to him in " ſuch manner as he might direct."

That,

That, in the year 1772, The King Shaw Allum, who had hitherto resided at Allahabad, trusting to engagements which he had entered into with the Marattas, quitted that place and removed to Delhi; but, having soon quarrelled with those people, and afterwards being taken prisoner, had been treated by them with very great disrespect and cruelty:—That, among other instances of their abuse of their immediate power over him, the Governor and Council of Bengal, in their letter of the 16th of August 1773, inform the Court of Directors, that he had been *compelled, while a prisoner in their hands, to grant Sunnuds for the surrender of Corah and Illiabad to them*; and it appears from sundry other minutes of their own, that the said Governor and Council did at all times consider the surrender abovementioned as *extorted* from the King, *and unquestionably an act of violence*, which could not alienate, or impair his right to those provinces; and that, when they took possession thereof, it was at the request of the King's Naib, or Viceroy, who put them under the Council's *Protection*; that, on this footing they were accepted by the said Warren Hastings and his Council, and for some time considered by them as a deposit committed to their care by a Prince, to whom the possession thereof was particularly guarantied by the East India Company.—In their letter of the 1st of March 1773, they, (the said Warren Hastings and his Council) say, "In no shape can this compulsatory cession "by the King release us from the obligation we are "under to defend the provinces, which we have so "particularly guarantied to him." But it appears that they soon adopted other ideas, and assumed other principles concerning this object. In the instructions, dated the 23d of June 1773, which the Council of Fort William gave to the said Warren Hastings, previous to his interview with the Nabob Shuja ul Dowla at Benares, they say, that, "while the King continu-"ed at Delhi, whither he proceeded in opposition to "their most strenuous remonstrances, they should cer-"tainly consider the engagements between him and "the Company as dissolved, by his alienation from "them

"them and their intereſt;—that the poſſeſſion of ſo "remote a country could never be expected to yield "any profit to the Company, and the defence of it "muſt require a perpetual aid of their forces;" yet, in the ſame inſtructions, they declare their opinion, that, "if the King ſhould make overtures to renew his "former connection, *his right to reclaim the diſtricts of* "*Corah* and *Illihabad could not with propriety be diſputed*;" and they authorize the ſaid Warren Haſtings to reſtore them to him, *on condition that he ſhould renounce his claim to the annual tribute of twenty-ſix lack of rupees*, hereinbefore mentioned, *and to the arrears which might be due*;—thereby acknowledging the juſtice of a claim, which they determined not to comply with, but in return for the ſurrender of another equally valid:—That, nevertheleſs, in the treaty concluded by the ſaid Warren Haſtings with Shuja ul Dowla, on the 7th of September 1773, it is aſſerted, that his Majeſty (meaning the King Shaw Allum) having "abandoned the Diſtricts of Corah and "Illihabad, and given a Sunnud for Corah and Currah to the Marattas, had thereby forfeited his right "to the ſaid diſtricts;" although it was well known to the ſaid Warren Haſtings, and had been ſo ſtated by him to the Court of Directors, that this ſurrender, on the part of the King, had been extorted from him by violence, while he was a priſoner in the hands of the Marrattas; and although it was equally well known to the ſaid Warren Haſtings, that there was nothing in the original treaty of 1765, which could reſtrain the King from changing the place of his reſidence, conſequently that his removal to Delhi could not occaſion a forfeiture of his right to the provinces ſecured to him by that treaty.

That the ſaid Warren Haſtings, in the Report which he made of his interview and negociations with Sujah ul Dowla, dated the 4th of October 1773, declared "that the Adminiſtration would have been culpable "in the higheſt degree, in retaining poſſeſſion of Co-"rah and Illiabad *for any other purpoſe than that of making*

"*ing an advantage by the diſpoſal of them,*" and therefore he had ceded them to the Vizier for fifty lack of rupees; a meaſure for which he had no authority whatever from the King Shaw Allum, and in the execution of which no reſerve whatever was made in favour of the rights of that Prince, nor any care taken of his intereſts.

That, the ſale of theſe provinces to Sujah Dowla involved the Eaſt India Company in a triple breach of juſtice, ſince, by the ſame act, they violated a treaty, they ſold the property of another, and they alienated a depoſit committed to their friendſhip and good faith, and as ſuch accepted by them —That a meaſure of this nature is not to be defended on motives of policy and convenience, ſuppoſing ſuch motives to have exiſted, without a total loſs of public honour, and ſhaking all ſecurity in the faith of treaties; but that, in reality, the pretences urged by the ſaid Warren Haſtings, for ſelling the King's country to Sujah Dowla, were falſe and invalid.—It could not ſtrengthen our alliance with Sujah ul Dowla; ſince, paying a price for a purchaſe, he received no favour, and incurred no obligation. It did not free the Company from all the dangers attending either a remote property or a remote connexion; ſince, the moment the country in queſtion became part of Suja Dowla's dominions, it was included in the Company's former guaranty of thoſe dominions; and in caſe of invaſion, the Company were obliged to ſend part of their army to defend it, at the requiſition of the ſaid Sujah Dowla: And if the remote ſituation of thoſe provinces made the defence of them difficult and dangerous, much more was it a difficult and dangerous enterprize to engage the Company's force in an attack and invaſion of the Rohillas, whoſe country lay at a much greater diſtance from the Company's frontier: Which, nevertheleſs, the ſaid Warren Haſtings agreed to, and undertook at the very time when, under pretence of the difficulty of defending Cora and Illiabad, he ſold thoſe provinces to Sujah Dowla. It did not relieve the Company from the

expence

expence of defending the country, ſince the revenues thereof far exceeded the ſubſidy to be paid by Sujah Dowla, and theſe revenues juſtly belonged to the Company as long as the country continued under their protection, and would have anſwered the expence of defending it.—Finally, that the ſum of fifty lack of rupees, ſtipulated with the ſaid Sujah Dowla, was inadequate to the value of the country, the annual revenues of which were ſtated at twenty-five lack of rupees, which General Sir Robert Barker, then Commander in Chief of the Company's forces, affirms, *was certain, and too generally known to admit of a doubt.*

That the King Shaw Allum received, for ſome years, the annual tribute of twenty-ſix lack of rupees abovementioned, and was entitled to continue to receive it, by virtue of an engagement deliberately, and for an adequate conſideration, entered into with him by the Company's ſervants, and approved of and ratified by the Company themſelves;—that this engagement was abſolute and unconditional, and did neither expreſs, nor ſuppoſe, any caſe, in which the ſaid King ſhould forfeit, or the Company ſhould have a right to reſume, the tribute; that, nevertheleſs, the ſaid Warren Haſtings and his Council, immediately after ſelling the King's country to Suja Dowla, reſolved to withhold, and actually withheld, the payment of the ſaid tribute, of which the King Shaw Allum has never ſince received any part;—that this reſolution of the Council is not juſtified, even by themſelves, on principles of right and juſtice, but by arguments of policy and convenience, by which the beſt-founded claims of right and juſtice may at all times be ſet aſide and defeated. "They "judged it highly impolitic and unſafe to anſwer the "drafts of the King until they were ſatisfied of his "amicable intentions, and thoſe of his new allies." But neither had they any reaſon to queſtion the King's amicable intentions, nor was he pledged to anſwer for thoſe of the Marattas; his truſting to the good faith of that people, and relying on their aſſiſtance, to reinſtate him in the poſſeſſion of his capital, might have been imprudent

imprudent and impolitic; but these measures, however ruinous to himself, indicated no enmity to the English, nor were they productive of any effects injurious to the English interests. And it is plain, that the said Warren Hastings and his Council were perfectly aware that their motives or pretences for withholding the tribute were too weak to justify their conduct, having principally insisted on the reduced state of their treasury, which, as they said, *rendered it impracticable to comply with those payments*. The *right* of a creditor does not depend on the circumstances of the debtor; on the contrary, the plea of inability includes a virtual acknowledgement of the debt, since, if the creditor's right were denied, the plea would be superfluous.

That the East India Company, having on their part violated the engagements, and renounced the conditions, on which they received, and have hitherto held and enjoyed, the Dewanny of Bengal, Bahar, and Orissa, from the King Shaw Allum, have thereby forfeited all right and title to the said Dewanny, arising from the said grant, and that it is free and open to the said King to resume such grant; and to transfer it to any other Prince or State:—That, notwithstanding any distress or weakness, to which he may be actually reduced, his lawful authority, as sovereign of the Mogul Empire, is still acknowledged in India, and that his grant of the Dewanny would sufficiently authorize, and materially assist any Prince or State that might attempt to dispossess the East India Company thereof, since it would convey a right, which could not be disputed, and to which nothing but force could be opposed. Nor can these opinions be more strongly expressed, than they have been lately by the said Warren Hastings himself, who, in a minute recorded the 1st of December 1784, has declared that, "fallen as the "house of Timur is, it is yet the relick of the most "illustrious line of the eastern world;—that *its Sovereignty is universally acknowledged*, though the sub-"stance of it no longer exists; and that the Company "itself derives its constitutional dominion from its "ostensible bounty."

That the said Warren Hastings, by this declaration, has renounced and condemned the principle on which he avowedly acted towards the Mogul in the year 1773, when he denied that the Sunnuds or grants of the Mogul, if they were in the hands of another nation, would avail them any thing; and when he declared, "that the sword, which gave us the dominion of "Bengal, must be the instrument of its preservation, "and that, if it should ever cease to be ours, the next "proprietor would derive his *right* and possession from "the same *natural charter*." That the said Warren Hastings, to answer any immediate purpose, adopts any principle of policy, however false or dangerous, without any regard to former declarations made, or to principles avowed on other occasions by himself; and particularly that, in his conduct to Shaw Allum, he first maintained, that the grants of that Prince were of no avail, that we held the dominion of Bengal by the sword, which he has falsely declared the source of *right*, and the *natural Charter* of dominion; whereas, at a later period, he has declared, that the sovereignty of the family of Shâ Allum is universally acknowledged, and that the Company itself derives its constitutional dominion from their ostensible bounty.

No. III.

No. III.

PART I.

Rights and Titles of the Rajah of Benares.

I.

THAT the territory of Benares is a fruitful, and has been, not long ſince, an orderly, well cultivated, and improved province; of great extent; and its capital city, as Warren Haſtings, Eſq. has informed the Court of Directors in his letter of the 21ſt of November 1781, "is highly revered by the natives 'of the Hindû perſuaſion; ſo that many, who have 'acquired independent fortunes, retire to cloſe their 'days in a place ſo eminently diſtinguiſhed for its 'ſanctity:" and he further acquaints the Directors, 'that it may rather be conſidered as the ſeat of the 'Hindû religion, than as the capital of a province. 'But as its inhabitants are not compoſed of Hindûs 'only, the *former* wealth which flowed into it from 'the offerings of pilgrims, as well as from the tranſ'actions of exchange, for which its central ſituation 'is adapted, has attracted numbers of Mahomedans, 'who ſtill continue to reſide in it with their families." And theſe circumſtances of the city of Benares, which not only attracted the attention of all the different deſcriptions of men who inhabit Indoſtan, but intereſted them warmly in whatever it might ſuffer, did, in a peculiar manner, require, that the Governor General and Council of Calcutta ſhould conduct themſelves with regard to its rulers and inhabitants, when it became dependant on the Company, on the moſt diſtinguiſhed principles of good faith, equity, moderation, and mildneſs.

II.

That the Rajah Bulwant Sing, late Prince or Zemindar of the province aforeſaid, was a great Lord o[f] the Mogul Empire, dependant on the ſame, through the Vizier of the empire, the late Sujah Ul Dowla Nabob of Oude; and the ſaid Bulwant Sing, in the commencement of the Engliſh power, did attach him ſelf to the cauſe of the Engliſh Company; and the Court of Directors of the ſaid Company did acknow ledge, in their letter of the 26th of May 1768, tha[t] " Bulwant Sing's joining us, at the time he did, wa[s] " of *ſignal ſervice*, and the ſtipulation in his favou[r] " was what he was juſtly entitled to:"—and they di[d] commend " the care that had been taken (by th[e] " then preſidency) of thoſe that had ſhewn their at " tachment to them (the Company) during the war; and they did finally expreſs their hope and expectatio[n] in the words following: " The moderation and atten " tion paid to thoſe who have eſpouſed our intereſts i[n] " this war, will *reſtore* our reputation in Hindoſtan " and that the Indian powers will be convinced N[o] " *breach of treaty will ever have our ſanction.*"

III.

That the Rajah Bulwant Sing died on the 23d [of] Auguſt 1770, and his ſon, Cheit Sing, ſucceeding [to] his rights and pretenſions, the Preſidency of Calcut[ta] (John Cartier, Eſquire, being then Preſident) d[id] inſtruct Captain Gabriel Harper, to procure a co[n]firmation of the ſucceſſion to his ſon Cheit Sing, " " it was of the utmoſt political import to the Com " pany's affairs; and that the young man ought n[ot] " to conſider the price to be paid to ſatisfy *the V[i]* " *zier's jealouſy and avarice.*" And they did furth[er] declare as follows: " The ſtrong and inviolable [at] " tachment which ſubſiſted betwixt the Company a[nd] " the father, makes us moſt readily interpoſe o[ur] " good offices for the ſon." And the young Raj[ah] aforeſaid, having agreed, under the mediation [of]

Capta[in]

Captain Harper, to pay near two hundred thousand pounds as a gift to the said Vizier, and to increase his tribute by near thirty thousand pounds annually, a deed of confirmation was passed by the said Vizier to the said Rajah, and his heirs, by which he became a purchaser for valuable considerations of his right and inheritance in the Zemindary aforesaid. In consequence of this grant, so by him purchased, the Rajah was solemnly invested with the government in the city of Benares, "amidst the acclamations of a numerous "people, and to the great satisfaction of all parties." And the said Harper, in his letter of the 8th October 1770, giving an account of the investiture aforesaid, did express himself in these words: "I will leave the "young Rajah, and others, to acquaint you how I "have conducted myself: only thus much let me "say, that I have kept a strict eye not to diminish "our national honour, disinterestedness, and justice; "which I will conclude has had a greater effect in "securing to the Company their vast possessions, than "even the force of arms, however formidable, could "do." The President of Calcutta testified his approbation of the said Harper's conduct in the strongest terms, that is in the following: "Your disinterested-"ness has been equally distinguishable as your abili-"ties, and both do you the greatest honour."

IV.

That the agreement between the Rajah and Nabob aforesaid, continued on both sides without any violation, under the sanction and guarantee of the East India Company, for three years; when Warren Hastings, Esquire, being then President, did propose a further confirmation of the said grant; and did, on the 12th of October 1773, obtain a delegation for himself to be the person to negociate the same: it being his opinion, as expressed in his Report of October 4th, 1773, that the Rajah was not only entitled to the inheritance of his Zemindary by the grants through Captain Harper, but that the preceding treaty of

of Illabad, though literally expreffing no more than a fecurity perfonal to Bulwant Sing, did notwithftanding, in the true fenfe and import thereof, extend to his pofterity; "and that it had been differently underftood "(that is not literally) by the Company, and by this "adminiftration; and the Vizier had *before* put it "out of all difpute, by the folemn act paffed in the "Rajah's favour on his fucceffion to the Zemindary."

V.

That the Council, in their inftructions to the faid Governor Haftings, did impower him "to *renew*, in "behalf of the Rajah Cheit Sing, the ftipulation "which was formerly made with the Vizier, in confi- "deration of his fervices in 1764;" and the government was accordingly fettled on the Rajah and his pofterity, or to his heirs, on the fame footing on which it was granted to his faid father, excepting the addition aforefaid to the tribute; with an exprefs provifion, "that *no encreafe* fhall ever hereafter be de- "manded." And the grant and ftipulation aforefaid was further confirmed by the faid Sujah Ul Dowla, under the Company's guarantee, by the moft folemn and awful form of oath known in the Mahomedan religion, inferted in the body of the deed or grant; and the faid Warren Haftings, ftrongly impreffed with the opinion of the propriety of protecting the Rajah, and of the injuftice, malice, and avarice of the faid Sujah Dowla, and the known family enmity fubfifting between him and the Rajah, did declare, in his report to the Council, as follows: "I am well con- "vinced that the Rajah's inheritance, and perhaps "his life, are no longer fafe than while he enjoys "the Company's protection, which is his due by the "ties of juftice, and the obligations of public faith."

VI.

That fome time after the new confirmation aforefaid, that is to fay, in the year 1774, the Governor General and

and Council, which had been formed, and the Members thereof appointed, by Act of Parliament, did obtain the aſſignment of the ſovereignty paramount of the ſaid government by treaty with the Nabob of Oude; by which, although the ſupreme dominion was changed, the terms and the conditions of the tenure of the Rajah of Benares remained; as the ſaid Nabob of Oude could transfer to the Eaſt India Company no other or greater eſtate than he himſelf poſſeſſed in or over the ſaid Zemindary. But, to obviate any miſconſtruction on the ſubject, the ſaid Warren Haſtings did propoſe to the Board, that whatever proviſion might in the ſaid treaty be made for the intereſt of the Company, the ſame ſhould be "without an encroachment on the juſt rights of the Rajah, or the "*engagements actually ſubſiſting with him.*"

VII.

That the ſaid Warren Haſtings then having, or pretending to have, an extraordinary care of the intereſt of the Rajah of Benares, did, on his transfer of the ſovereignty, propoſe a new grant to be conveyed in new inſtruments to the ſaid Rajah, conferring upon him further privileges; namely, the addition of the ſovereign rights of the mint, and of the right of criminal juſtice of life and death: and he the ſaid Warren Haſtings, as Governor General, did himſelf propoſe the reſolution for that purpoſe in Council, in the following words, with remarks explanatory of the principles upon which the grants aforeſaid were made: namely,

Minute.

VIII.

"That the perpetual and *independent* poſſeſſion of "the Zemindary of Benares, and its dependencies, "be *confirmed* and guarantied to the Rajah Cheit Sing "and his heirs for ever, *ſubject only to the annual payment* "*of the revenues hitherto paid to the late Vizier*, amount-"ing Benares, *ſca. rupees*, 23,71,656,12, to be "diſpoſed

" diſpoſed of as is expreſſed in the following article: " *That no other demand be made on him, either by the Nabob* " *of Oude, or this government; nor any kind of authority* " *or juriſdiction be exerciſed by either within the diſtricts* " *aſſigned him.*" To which minute he, the ſaid Warren Haſtings, did ſubjoin the following obſervation in writing, and recorded therewith in the Council books, that is to ſay: " *The Rajah of Benares, from the ſituation* " *of his country, which is a frontier to the provinces of Oude* " *and Bahar, may be made a ſerviceable Ally to the Com-* " *pany, whenever their affairs ſhall require it. He has* " *always been conſidered in this light both by the Company* " *and the ſucceſſive Members of the late Council; but, to* " *inſure his attachment to the Company, his intereſt muſt be* " *connected with it, which cannot be better effected than by* " *freeing him totally from the REMAINS of his preſent* " *vaſſalage, under the guarantee and protection of the Com-* " *pany; and at the ſame time guarding him againſt any ap-* " *prehenſions from this government, by thus pledging its* " *faith that no encroachment ſhall ever be made on his* " *rights by the Company.*" And the ſaid Warren Haſtings, on the fifth of July 1775, did himſelf propoſe, among other articles of the treaty relative to this object, one of the following tenor: " That whilſt the " Rajah ſhall continue faithful to theſe engagements, " and punctual in his payments, and ſhall pay due obe- " dience to the authority of this government, *no more* " *demands* ſhall be made upon him by the honourable " Company, of ANY KIND; or, on any pretence " whatſoever, ſhall any perſon be allowed to interfere " with his authority, or to diſturb the peace of his " country." And the ſaid article was by the other Members of the Council aſſented to without debate.

IX.

On transferring the Rajah's tribute from the Nabob to the Company, the ſtipulation with the Nabob was renewed on the propoſition of the ſaid Warren Haſtings himſelf, and expreſſed in a yet more diſtinct manner; namely, " That no more demands ſhall be made upon

" him,

"him, by the honourable Company, of any kind:" and the ſaid Warren Haſtings, in juſtification of his propoſal of giving the Rajah "a complete and uncontrolled authority over his Zemindary," did enter on the Council book the following reaſons for inveſting him with the ſame; ſtrongly indicating the ſituation in which he muſt be left under any other circumſtances, whether under the Nabob of Oude, or under the Engliſh, or under the double influence of both: "That the ſecurity of his perſon and poſſeſſions, from the Company's protection, may be rated equal to many lacks of rupees; *which, though ſaved to him, are no loſs to the government on which he depends, being all articles of inviſible expence*; in fees to the Miniſters and Officers of the Nabob; in the charges of a double eſtabliſhment of Vackeels to both governments; in preſents and charges of accommodation to the Nabob, during his reſidence at any place within the boundaries of his Zemindary; in *the frauds, embezzlements, and oppreſſions exerciſed in the Mint and Cutwally*; beſides the allowed profits of thoſe officers, and the advantages which every man *in occaſional power, or in the credit of it, might make of the Rajah's known weakneſs*, and the dread he ſtood in both of the diſpleaſure of the Nabob, *and the ill will of individuals among the Engliſh, who were all conſidered, either in their preſent ſtations or connections, or the right of ſucceſſion, as Members of the ſtate of Bengal.* It would be ſcarce poſſible to enumerate all the inconveniences to which the Rajah was liable *in his former ſituation*, or to eſtimate the preciſe effect which they produced on his revenue, and on the groſs amount of his expence; but it may be eaſily conceived, that both were enormous and of a nature the moſt likely to leſſen the profits of government, inſtead of adding to them." And in juſtification of his propoſal of giving the Rajah the ſymbols of ſovereignty in the power of life and death, and in the coining of money, as pledges of his *independence*, he ſtates the deplorable ſituation of Princes reduced to dependance on the Vizier, or the Company, and obliged to entertain an

English resident at their Court, in the following words: "It is proposed to receive the payment of his (the "Rajah's) Rents at Patna, because that is the nearest "provincial station, and because it would not frustrate "the *intention of rendering the Rajah independent.* If a "resident was appointed to receive the money, as it "became due, at Benares, *such a resident* would un-"avoidably acquire an influence over the Rajah, and "over his country, *which would in effect render him the* "*master of both.* This consequence might not per-"haps be brought completely to pass without *a strug-"gle, and many appeals to Council,* which, in a govern-"ment constituted like this, cannot *fail to terminate* "*against the Rajah; and, by the construction to which his* "*opposition to the agent would be liable, might eventually* "*draw on him severe restrictions, and in reducing him to* "*the mean and depraved state of a mere Zemindar.*"

X.

That in order to satisfy the said Rajah of the intentions of the Company towards him, and of the true sense and construction of the grants to him, the said Rajah, to be made, the Governor General (he the said Warren Hastings) and Council did, on the 24th Aug. 1775, instruct Mr. Fowke, the resident at the Rajah's Court, in the following words: "It is proper to assure "the Rajah we do not mean to encrease his tribute, "but to require from him an exact sum. That, under "the sovereignty of the Company, we are determined "to leave him the free and uncontrolled management "of the internal government of his country, and the "collection and regulation of the revenues, so long as "he adheres to the terms of his engagement; and will "*never* demand *any* augmentation of the annual tri-"bute which may be fixed."

XI.

That the said Warren Hastings and the Council General, not being satisfied with having instructed the resident

resident to make the representation aforesaid, to remove all suspicion that by the new grants any attempt should insidiously be made to change his former tenure, did resolve, that a letter should be written by the Governor General himself to the Rajah of Benares, to be delivered to Mr. Fowke the resident, together with his credentials; in which letter they declare " the Board willing " to continue the grant of the Zemindary to him, in " as *full and ample a manner as he possessed it from for-* " *mer sovereigns*; and on his paying the annual tribute, " &c." And in explaining the reasons for granting to him the mint and criminal justice, they inform him, that this is done in order " that he may possess an *un-* " *controlled and free authority* in the regulation and go- " vernment of his Zemindary."

XII.

That, on the 26th February 1776, the Board and Council did order that the proper instruments should be prepared for conveying to the Rajah aforesaid the government and criminal justice and mint of Benares, with its dependencies, " in the usual form; *expressing* " *the conditions already resolved on in the several proceed-* " *ings of the Board*." And on the same day a letter was written to the resident at Benares, signifying that they had ordered the proper instruments to be prepared, specifying the terms concerning the remittance of the Rajah's tribute to Calcutta, as well as " *the several* " *other conditions which had been already agreed to*; and " that they should forward it to him, to be delivered " to the Rajah." And on the 20th of March following the Board did again explain the terms of the said tribute in a letter to the Court of Directors; and did add, " that a Sannud (grant or patent) for his (Cheit " Sing's) Zemindary should be furnished him, *on these*, " *and the conditions before agreed on*."

XIII.

That during the course of the transactions aforesaid in Council, and the various assurances given to the

 Rajah

Rajah and the Court of Directors, certain improper and fraudulent practices were used with regard to the symbols of investiture which ought to have been given, and the form of the deeds by which the said Zemindary ought to have been granted: for it appears that the original deeds were signed by the Board on the 4th of September 1775, and transmitted to Mr. Fowke, the resident at the Rajah's Court; and that, on the 20th of November following, the Court of Directors were acquainted, by the said Warren Hastings and the Council, that Rajah Cheit Sing had been invested with the Sannud (charters or patents) fot his Zemindary, and the Kellaut (or robes of investiture) in all the proper forms. But, on the 1st of October 1775, the Rajah did complain to the Governor General and Council, that the Kellaut (or robes) with which he was to be invested, according to their order, "*is not* "*of the same kind* as that which he received from the late "Vizier on the like occasion." In consequence of the said complaint, the Board did, in their letter to the resident of the 11th of the same month, desire him "to "make inquiry respecting the nature of the Kellaut, "and invest him with *one of the same sort*, on the part "of this government, instead of that which they "formerly described to him." And it appears highly probable, that the instruments which accompanied the said robes of investiture were made in a manner conformable to the orders and directions of the Board, and the conditions by them agreed to; as the Rajah, who complained of the insufficiency of the robes, did make no complaint of the insufficiency of the instruments, or of any deviation in them from those he had formerly received from the Vizier. But *a copy or duplicate of the said deeds or instruments were in some manner surreptitiously disposed of, and withheld from the records of the Company, and never were transmited to the Court of Directors.*

XIV.

That several months after the said settlement and investiture, namely, on the 15th of April 1776, the Secretary

Secretary informed the Court that he had prepared a Sannud, Cabbolut, and Pottah (that is, a patent, an agreement, and a rent roll) for Cheit Sing's Zemindary; and the Board ordered the ſame to be executed. But the reſident, on receiving the ſame, did tranſmit the ſeveral objections made by the Rajah thereto, and particularly to a clauſe in the patent, made in direct contradiction to the engagements of the Council ſo ſolemnly and repeatedly given; by which clauſe the former patents *are declared to be null.* That on the repreſentation aforeſaid, on the 29th July, the ſecretary was ordered to prepare new and proper inſtruments, omitting the clauſe declaring the former *Patents to be null,* and the ſaid new patents were delivered to the Rajah; and the others which he objected to, as well as thoſe which had been delivered to him originally, were returned to the preſidency. But neither the firſt ſet of deeds, nor the fraudulent patent aforeſaid, nor the new inſtruments made out on the complaint of the Rajah, omitting the exceptionable words, have been inſerted in the records, although it was the particular duty of the ſaid Warren Haſtings that all tranſactions with the country powers ſhould be faithfully entered; as well as to take care that all inſtruments tranſmitted to them, on the faith of the Company, ſhould be honeſtly, candidly, and fairly executed, according to the true intent and meaning of the engagements entered into on the part of the Company; giving, by the ſaid complicated, artificial, and fraudulent management, as well as by his ſaid omitting to record the ſaid material document, ſtrong reaſon to preſume that he did even then meditate to make ſome evil uſe of the deeds which he thus withheld from the Company, and which he did afterwards in reality make, when he found means and opportunity to effect his evil purpoſe.

END OF PART Iſt.

PART II.

Deſigns of Mr. Haſtings to ruin the Rajah of Benares.

I.

THAT the tribute transferred to the Company, by the treaty with the Nabob of Oude, being 250,000l. a year ſterling, and upwards, without any deductions whatſoever, was paid monthly, with ſuch punctual exactneſs, as had no parallel in the Company's dealings with any of the native princes, or with any ſubject Zeminder, being the only one who never was in arrears; and, according to all appearance, a perfect harmony did prevail between the Supreme Council at Calcutta and the Rajah. But though the Rajah of Benares furniſhed no occaſion of diſpleaſure to the Board, yet it ſince appears that the ſaid Warren Haſtings did, at ſome time in the year 1777, conceive diſpleaſure againſt him. In that year, he, the ſaid Warren Haſtings, retracted his own act of reſignation of his office, made to the Court of Directors through his agent Mr. Maclean; and, calling in the aid of the military to ſupport him in his authority, brought the diviſions of the government, according to his own expreſſion, "to an extremity bordering on civil violence." This extremity he attributes, in a narrative by him tranſmitted to the Court of Directors, and printed, not to his own fraud and prevarication, but to what he calls "an "attempt to wreſt from him his authority;" and in the ſaid narrative he pretends that the Rajah of Benares had deputed an agent, with an expreſs commiſſion, to his opponent Sir John Clavering.—This fact, if it had been true, (which is not proved) was in no ſort criminal or offenſive to the Company's Government; but was at firſt ſight nothing more than a proper mark of duty and reſpect to the ſuppoſed ſucceſſion of office.

Nor

Nor is it poſſible to conceive in what manner it could offend the ſaid Haſtings, if he did not imagine that the expreſs commiſſion, to which in the ſaid narrative he refers, might relate to the diſcovery to Sir John Clavering of ſome practice which he might wiſh to conceal; the ſaid Clavering, whom he ſtyles "*his op-" "ponent*," having been engaged, in obedience to the Company's expreſs orders, in the diſcovery of ſundry peculations, and other evil practices, charged upon the ſaid Haſtings. But although, at the time of the ſaid pretended deputation, he diſſembled his reſentment, it appears to have rankled in his mind, and that he never forgave it, of whatever nature it might have been (the ſame never having been by him explained;) and ſome years after he recorded it in his juſtification of his oppreſſive conduct towards the Rajah, urging the ſame, with great virulence and aſperity, as a proof or preſumption of his the ſaid Rajah's diſaffection to the Company's Government; and, by his ſubſequent acts, he ſeems from the firſt to have reſolved, when opportunity ſhould occur, on a ſevere revenge.

II.

That having obtained, in his caſting vote, a majority in Council, on the death of Sir John Clavering and Mr. Monſon, he did ſuddenly, and without any previous general communication with the Members of the Board, by a minute of conſultation of the 9th of July 1778, make an extraordinary demand, namely, "that the Rajah of Benares ſhould *conſent* to the eſ-" "tabliſhment of three regular battalions of Sepoys," "*to be raiſed and maintained at his own expence*;" and the ſaid expence was eſtimated at between fifty and ſixty thouſand pounds ſterling.

III.

That the ſaid requiſition did ſuppoſe the *conſent* of the Rajah, the very word being inſerted in the body of his, the ſaid Warren Haſtings's, minute; and the ſame

was

was agreed to, though with ſome doubts on the parts of two of his colleagues, Mr. Francis and Mr. Wheler, concerning the right of making the ſame, even worded as it was. But Mr. Francis and Mr. Wheler ſoon after finding that the Rajah was much alarmed by this departure from the treaty, the requiſition aforeſaid was ſtrenuouſly oppoſed by them. The ſaid Haſtings did, notwithſtanding this oppoſition, perſerve; and by his caſting vote alone did carry the ſaid unjuſt and oppreſſive demand. The Rajah ſubmitted, after ſome murmuring and remonſtrance, to pay the ſum required; but on the expreſs condition (as has been frequently aſſerted by him to the ſaid Warren Haſtings, without any contradiction) that the exaction ſhould continue *but for one year, and ſhould not be drawn into precedent.* He alſo requeſted that the extraordinary demand ſhould be paid along with the inſtalments of his monthly tribute: But although the ſaid Warren Haſtings did not ſo much as pretend that the inſtant payment was at all neceſſary, and though he was urged by his before-mentioned colleagues to moderate his proceedings, he did inſiſt upon immediate payment of the whole; and did deliver his demand in proud and inſulting language, wholly unfit for a governor of a civilized nation to uſe towards eminent perſons in alliance with, and in honourable and free dependence upon, its government; and did ſupport the ſame with arguments full of unwarrantable paſſion, and with references to reports affecting merely his own perſonal power and conſideration, which reports were not proved, nor attempted to be proved; and, if proved, furniſhing reaſons inſufficient for his purpoſe, and indecent in any public proceedings. That the ſaid Haſtings did cauſe the ſaid ſums of money to be rigerouſly exacted, although no ſuch regular battalions, as he pretended to eſtabliſh as a colour for his demand on the Rajah, were then raiſed, or any ſteps taken towards raiſing them. And when the ſaid Rajah pleaded his inability to pay the whole ſum at once, he, the ſaid Haſtings, perſevering in his ſaid outrageous and violent demeanour, did order the Reſident to wait on the Rajah forthwith, and "demand of him in "perſon,

" person, and by writing, the full payment in specie " to be made to him within five days of such demand; " and to declare to him, in the name of this Govern- " ment, that his evading or neglecting to accomplish " the payment thereof within that space of time, should " be deemed *equivalent to an absolute refusal*; and in " case of non-compliance with this (the Resident's) " demand, *we peremptorily enjoin you to refrain from all* " *further intercourse with him*:" The said Hastings appearing, by all his proceedings, to be more disposed to bring on a quarrel with the Prince of Benares, than to provide money for any public service.

IV.

That the said demand was complied with, and the whole thereof paid on the 10th of October, that year. And the said Rajah did write to the said Hastings a letter, in order to mitigate and mollify him, declaring to the said Hastings, that his sole reliance was on him, " and that in every instance he depended on his " faith, religion, promises, and actions." But he, the said Warren Hastings, as if the being reminded of his faith and promises were an incentive to him to violate the same, although he had agreed that his demand should not be drawn into precedent, and the payment of the 50,000l. aforesaid should continue only for one year, did, the very day after he had received the letter aforesaid, renew a demand of the same nature, and on the same pretence, this year, even less plausible than the former of three battalions *to be* raised. The said Rajah, on being informed of this requisition, did remind the said Warren Hastings that he engaged, in the last year, that but one payment should be made, and that he should not be called upon in future; and pleading inability to discharge the new demand, declared himself in the following words to the said Warren Hastings: " I am therefore hopeful you will be kindly pleased to " excuse me the five lacks now demanded, and that " nothing may be demanded of me beyond the a- " mount expressed in the Pottah."

V.

That on the day after the receipt of this letter, that is, on the 28th Auguſt 1779, he, the ſaid Warren Haſtings, made a reply to the ſaid letter; and, without any remark whatſoever on the allegation of the Rajah, ſtating to him his engagement that he, the ſaid Rajah, ſhould not be called upon in future, he ſays, "I now repeat my demand, that you do, on the receipt "of this, without evaſion or delay, pay the five lack "of rupees into the hands of Mr. Thomas Graham, "who has orders to receive it from you; and, in caſe "of your refuſal, to ſummon the two battalions of Se-"poys, under the command of Major Camac, to Be-"nares, that meaſures may be taken to oblige you to "a compliance: And, in this caſe, the whole expence "of the corps, from the time of its march, will fall on "you."

VI.

That the ſaid Rajah did a ſecond and third time repreſent to the ſaid Warren Haſtings, that he had broke his promiſe, and the ſaid Haſtings did in no manner deny the ſame; but did, in contempt thereof, as well as of the original treaty between the Company and the Rajah, order two battalions of troops to march into his territories, and in a manner the moſt harſh, inſulting, and deſpotic, as if to provoke that Prince to ſome act of reſiſtance, did compel him to the payment of the ſaid ſecond unjuſt demand; and did extort alſo the ſum of 2,000*l.* on pretence of the charge of the troops employed to coerce him.

VII.

That the third year, that is to ſay, in the year 1780, the ſame demand was, with the ſame menaces, renewed; and did, as before, produce ſeveral humble remonſtrances and ſubmiſſive complaints, which the ſaid Haſtings did always treat as crimes and offences of the higheſt order: And although in the regular ſubſidy or tribute,

tribute, which was monthly payable by treaty, fifty days of grace were allowed on each payment, and after the expiration of the ſaid fifty days one quarter per cent. only was provided as a penalty, he, the ſaid Warren Haſtings, on ſome ſhort delay of payment of his third arbitrary and illegal demand, did preſume, of his own authority, to impoſe a fine or mulct of 10,000 l. on the ſaid Rajah: And though it does not appear whether or no the ſame was actually levied, the ſaid threat was ſoon after followed by an order, from the ſaid Haſtings, for the march of troops into the country of Benares, as in the preceding year.

VIII.

That theſe violent and inſulting meaſures failing to provoke the Rajah, and he having paid up the whole demand, the ſaid Warren Haſtings being reſolved to drive him to extremities, did make on the ſaid Rajah a ſudden demand, over and above the ordinary tribute or ſubſidy of £. 260,000 per annum, and over and above the £.50,000 extraordinary to provide a body of cavalry for the ſervice of the Bengal Government.

IX.

The demand, as expreſſed in the minute of conſultation, and in the public inſtructions of the Board to the reſident, to make the requiſition, is "for ſuch part of "the cavalry entertained in his ſervice as he can ſpare;" and the demand is in this, and in no other manner, deſcribed by the Governor General and Council in their letter to the Court of Directors. But in a narrative of the ſaid Warren Haſtings, addreſſed to Edward Wheler, Eſquire, it appears, that upon the Rajah's making difficulties, according to the repreſentation of the ſaid Haſtings, relative to the ſaid requiſition, the correſpondence concerning which the ſaid Haſtings hath fraudulently ſuppreſſed, he, the ſaid Haſtings, inſtead of adhering to the requiſition of ſuch cavalry *as the Rajah could ſpare*, and which was all that by the order of

Council he was authorized to make, did, of his own private and arbitrary authority, in ſome letter which he hath ſuppreſſed, inſtruct the reſident Markham to make a peremptory demand for 2000 cavalry, which he well knew to be more than the Rajah's finances could ſupport, eſtimating the proviſion for the ſame at £.96,000 a year at the loweſt, though the expence of the ſame would probably have been much more: which extravagant demand the ſaid Haſtings could only have made in hopes of provoking the Rajah to ſome imprudent meaſure, or paſſionate remonſtrance. And this arbitrary demand of cavalry was made and peremptorily inſiſted on, although in the original treaty with the ſaid Rajah it was left entirely optional whether or not he ſhould keep up any cavalry at all: and in the minute of conſultation it was expreſsly mentioned to be thus optional: and that for whatſoever cavalry he, the ſaid Rajah ſhould furniſh, he ſhould be paid 15 rupees per month for each private, and ſo in proportion for officers: yet the demand aforeſaid was made without any offer whatſoever of providing the ſaid payment according to treaty.

X.

That the ſaid Haſtings did ſoon after, but upon what grounds does not appear by any Minute of Council, or from any correſpondence contained in his narrative, reduce the demand to fifteen thouſand, and afterwards to one thouſand; by which he ſhewed himſelf to be ſenſible of the extravagance of his firſt requiſition.

XI.

That in conſequence of theſe requiſitions, as he aſſerts in his narative aforeſaid, the Rajah "did offer "250 horſe, but ſent none." But the ſaid Haſtings doth not accompany his ſaid narrative with any voucher or document whatever; and therefore the account given by the Rajah, and delivered to the ſaid Warren Haſtings himſelf, inſerted by the ſaid Warren

Haſtings

Haſtings himſelf, in his narrative, and in no part thereof attempted to be impeached, is more worthy of credit; that is to ſay,

"With reſpect to the horſe, you deſired me in your "letter to inform you of what number I could afford "to ſtation with you. I ſent you a particular account "of all that were in my ſervice, amounting to one "thouſand three hundred horſe, of which ſeveral were "ſtationed at diſtant places; but I received no anſwer to "this. Mr. Markam delivered me an order to prepare "a thouſand horſe. In compliance with your "wiſhes, I collected five hundred horſe, and a ſubſti-"tute for the remainder, five hundred Burkundaſſes "[Match-lock-men], of which I ſent you information; "I told Mr. Markham that they were ready to go "to whatever place they ſhould be ſent. No anſwer, "however, came from you on this head, and I remain-"ed aſtoniſhed at the cauſe of it. Repeatedly I aſk-"ed Mr. Markham about an anſwer to my letter "about the horſe; but he told me that he did not "know the reaſon of no anſwer having been ſent. "I remained aſtoniſhed."

XII.

That the ſaid Haſtings is guilty of an high offence, in not giving an anſwer to letters of ſuch importance, and in concealing the ſaid letters from the Court of Directors, as well as much of his correſpondence with the reſidents; and more particularly in not directing to what place the cavalry and match-lock-men aforeſaid ſhould be ſent, when the Rajah had declared they were ready to go to whatever ſervice ſhould be deſtined for them, and afterwards in maliciouſly accuſing the Rajah for not having ſent the ſame.

XIII.

That, on the 3d of February 1781, a new demand for the ſupport of the three fictitious battalions of ſepoys aforeſaid was made by the ſaid Warren Haſtings: but, whilſt the Rajah was paying by inſtalments the ſaid arbitrary demand, the ſaid Rajah was alarmed with

with ſome intelligence of ſecret projects on foot for his ruin; and being well apprized of the malicious and revengeful temper of the ſaid Haſtings, in order to pacify him, if poſſible, offered to redeem himſelf by a large ranſom, to the amount of two hundred thouſand pounds ſterling, to be paid for the uſe of the Company. And it appears that the ſaid alarm was far from groundleſs; for Major Palmer, one of the ſecret and confidential agents of the ſaid Haſtings, hath ſworn, on the fourth of December 1781, at the deſire of the ſaid Warren Haſtings, before Sir Elijah Impey, to the following effect; that is to ſay, "that the ſaid "Warren Haſting had told him, the ſaid Palmer, that "he, the ſaid Haſtings, had rejected the offer of two "hundred thouſand pounds made by the Rajah of Be-"nares for the public ſervice; and that he was re-"ſolved *to convert the faults committed by the Rajah into* "*a public benefit*, and would exact the ſum of £. 500,000 "as a puniſhment for his breach of engagements with "the government of Bengal, and acts of miſconduct "in his Zemindary; and, if the Rajah ſhould abſo-"lutely refuſe the demand, that he would deprive him "of his Zemindary, or transfer the ſovereignty thereof "to the Nabob of Oude."

XIV.

And Mr. Anderſon, in his declaration from Scindia's camp, of the 4th of January 1782, did alſo, at the deſire of Mr. Haſtings, depoſe (though not on oath) concerning a converſation between him and the ſaid Haſtings (but mentioning neither time nor place where the ſame was held;) in which converſation, after reciting the allegations of the ſaid Haſtings relative to ſeveral particulars of the delay and backwardneſs of the Rajah in paying the aforeſaid extra demand, and his reſolution to exact from the Rajah "a conſiderable ſum "of money to the relief of the Company's exigences," he proceeds in the following words; "That if he (the "Rajah) conſented, you (the ſaid Warren Haſtings) "were deſirous of *eſtabliſhing his poſſeſſions on the moſt*

"*perma-*

" *permanent and eligible footing*; but, if he refused, you " had it in your power to *raise a large sum* for the Com- " pany, by accepting an offer which had been made " for his districts by the Vizier." And the said Anderson, in the declaration aforesaid, made at the request of the said Hastings, and addressed to him, expressed himself as follows: " That you told me you had com- " municated our designs to Mr. Wheler (his only re- " maining colleague;) and I believe, but I do not " positively recollect, you said he concurred in them." But no trace of any such communication or concurrence did, at the time referred to, or at any time ever after, appear on the consultations, as it ought to have done; and the said Hastings is criminal, for having omitted to enter and record the proceeding. That the said Wheler did also declare, but a considerable time after the date of the conversations aforesaid, that " on " the eve of the Governor General's departure, the said " Hastings had told him, that the Rajah's offences " (not stating what offences, he having paid up all the " demands, ordinary and extraordinary) *were declared* " to require early punishment; and as his *wealth was* " *great, and the Company's exigences pressing*, it was " thought a measure of policy and of justice, to exact " from him a large pecuniary mulct for their relief. " The sum to which the Governor declared his resolu- " tion to extend the fine, was forty *or* fifty lacks; his " ability to pay it, was stated as a fact that could not " admit of a doubt; and the two alternatives, on which " the Governor declared himself to have resolved, " were, to the best of my recollection, either a removal " from his Zemindary entirely; or, by taking imme- " diate possession of all his forts, to obtain out of " the treasure deposited in them the above sum for the " Company."

XV.

That, in the declaration of the said Wheler, the time of the conversation aforesaid is stated to be on the eve of the Governor's departure, and then said to be confi-

confidential; nor is it ſaid or inſinuated that he knew or ever heard thereof at a more early period; though it appears by Major Palmer's affidavit, that the deſign of taking not four *or* five, but abſolutely five hundred thouſand pounds from the Rajah, was communicated to him as early as the month of June. And it does not appear, by the declarations of the ſaid Wheler, he did ever caſually or officially approve of the meaſure; which long concealment and late communication, time not being allowed to his colleague to conſider the nature and conſequences of ſuch a project, or to adviſe any precaution concerning the ſame, is a high miſdemeanour.

XVI.

That the ſaid Haſtings, having formed a reſolution to execute one of the three violent and arbitrary reſolutions aforeſaid; namely, to ſell the Company's ſovereignty over Benares to the Nabob of Oude; or to diſpoſſeſs the Rajah of his territories; or to ſeize upon his forts, and to plunder them of the treaſure therein contained, to the amount of four or five hundred thouſand pounds; did reject the offer of two hundred thouſand pounds, tendered by the ſaid Rajah for his redemption from the injuries which he had diſcovered that the ſaid Haſtings had clandeſtinely meditated againſt him, although the ſum aforeſaid would have been a conſiderable and ſeaſonable acquiſition at that time; the ſaid Haſtings being determined, at a critical period, to riſk the exiſtence of the Britiſh Empire, rather than fail in the gratification of his revenge againſt the ſaid Rajah.

XVII.

That the firſt of his three inſtituted projects, namely, the depriving the Rajah of his territories, was by himſelf conſidered as a meaſure likely to be productive of much odium to the Britiſh Government; he having declared, whatever opinions he might entertain of its

justice, "That it would have an appearance of *seve-*
"*rity*; and might furnish grounds *unfavourable to the*
"*credit of our government, and to his own reputation*,
"from the natural influence which every *act of rigour*,
"exercised in the persons of men in *elevated situations*,
"is apt to impress on those who are too remote from
"the scene of action to judge, by any evidence of
"the facts themselves, of their motives or pro-
"priety." And the second attempt, the sum of money which he aimed at by attacking the fortresses of the Rajah, and plundering them of the treasure supposed to be there secured, besides the obvious uncertainty of acquiring what was thus sought, would be liable to the same imputations with the former. And with regard to the third project, namely, the sale of the Company's sovereignty to the Nabob of Oude, and his having actually received proposals for the same, it was an high offence to the Company, as presuming, without their authority or consent, to put up to sale their sovereign rights; and particularly to put them up to sale to that very person, against whom the independence of the said province had been declared by the Governor General and Council to be necessary, as a barrier for the security of the other provinces, in case of a future rupture with him. It was an heinous injury to the said Rajah, to attempt to change his relation without his consent, especially on account of the person to whom he was to be made over for money, by reason of the known enmity subsisting between his family and that of the Nabob, who was to be the purchaser; and it was a grievous outrage on the innocent inhabitants of the Zemindary of Benares, to propose putting them under a person long before described by himself, to the Court of Directors, "to want the
"qualities of the head and heart requisite for his
"station;" and in a letter from the British resident at Oude, transmitted to the said Court, represents him
"to have wholly lost, by his *oppressions*, the confidence
"and affections of his own subjects;" and whose distresses, and the known disorders in his government, he, the said Hastings, did attribute solely to his own

bad conduct and evil character: admitting also in a letter written to Edward Wheler, Esq. and transmitted to the Court of Directors, "that many circumstances "did favour suspicion of his (the said Nabob's) fide- "lity to the English interest, the Nabob being sur- "rounded by men base in their characters, and im- "provident in their understandings, his favourites and "his companions of his looser hours. These had "every cause to dread the effect of my influence on "theirs; and both these, and the relations of the fa- "mily, whose views of consequence and power were "intercepted by our participation in the administra- "tion of his affairs, entertained a mortal hated to our "nation, and openly avowed it." And the said Hastings was well aware, that in case the Nabob, by him described in the manner aforesaid, on making such purchase, should continue to observe the terms of his father's original covenants and engagements with the Rajah, and should pay the Company the only tribute which he could lawfully exact from the said Rajah; it was impossible that he could, for the mere naked and unprofitable rights of a sovereignty paramount, afford to offer so great a sum as the Rajah did offer to the said Hastings, for his redemption from oppression. Such an acquisition to the Nabob (while he kept his faith) could not possibly be of any advantage whatever to him; and that therefore, if a great sum was to be paid by the Nabob of Oude, it must be for the purpose of oppression, and violation of public faith, to be perpetrated in the person of the said Nabob, to an extent and in a manner which the said Hastings was then apprehensive he could not justify to the Court of Directors, as his own personal act.

END of PART II.

PART

PART III.

Expulſion of the Rajah of Benares.

I.

THAT the ſaid Warren Haſtings, being reſolved on the ruin of the Rajah aforeſaid, as a preliminary ſtep thereto did, againſt the expreſs orders of the Court of Directors, remove Francis Fowke, Eſquire, the Company's reſident at the city of Benares, without any complaint, or pretence of complaint whatſoever, but merely on his own declaration, that he muſt have, as a reſident at Benares, a perſon of his own ſpecial and perſonal nomination and confidence, and not a man of the Company's nomination; and in the place of the ſaid Francis Fowke, thus illegally diveſted of his office, did appoint thereto another ſervant of the Company of his own choice.

II.

That ſoon after he had removed the Company's reſident, he prepared for a journey to the upper provinces, and particularly to Benares, in order to execute the wicked and perfidious deſigns by him before meditated and contrived; and although he did communicate his purpoſe privately to ſuch perſons as he thought fit to entruſt therewith, he did not enter any thing on the conſultations to that purpoſe, or record the principles, real or pretended, on which he had reſolved to act, nor did he ſtate any guilt in the Rajah which he intended to puniſh, or charge him, the ſaid Rajah, with entertaining any hoſtile intentions, the effects of which were to be prevented by any ſtrong meaſure; but on the contrary, he did induſtriouſly conceal his real deſigns from the Court of Directors, and did fallaciouſly enter on the conſultations a minute declaratory of purpoſes wholly different there-

 from,

from, and which ſuppoſed nothing more than an amicable adjuſtment, founded on the treaties between the Company and the Rajah, inveſting himſelf by his ſaid minute with "full power and authority to form *ſuch* "arrangements *with* the Rajah of Benares, for the "*better* government and management of his Zemindary, and to perform ſuch acts for the improvement "of the intereſt which the Company poſſeſſes in it, "as he ſhall think *fit and conſonant to the mutual engagements ſubſiſting between the Company and the Rajah*;" and for this and other purpoſes he did inveſt himſelf with the whole power of the Council, giving to himſelf an authority, as if his acts had been the acts of the Council itſelf; which, though a power of a dangerous, unwarrantable, and illegal extent, yet does plainly imply the following limits, namely, that the acts done ſhould be *arranged with* the Rajah, that is, with *his conſent*; and, ſecondly, That they ſhould be conſonant to the actual engagements between the parties; and nothing appears in the minute conferring the ſaid power, which did expreſs or imply any authority for depriving the Rajah of his government, or ſelling the ſovereignty thereof to his hereditary enemy, or for the plunder of his fort treaſures.

III.

That the ſaid Warren Haſtings having formed the plans aforeſaid for the ruin of the Rajah, did ſet out on a journey to the city of Benares with a great train, but with a very ſmall force, not much exceeding ſix companies of regular black ſoldiers, to perpetrate ſome of the unjuſt and violent acts by him meditated and reſolved on: And the ſaid Haſtings was met, according to the uſage of diſtinguiſhed perſons in that country, by the Rajah of Benares with a very great attendance, both in boats and on ſhore, which attendance he did apparently intend as a mark of honour and obſervance to the place and perſon of the ſaid Haſtings, but which the ſaid Haſtings did afterwards groundleſsly and maliciouſly repreſent as an indication of

of a deſign upon his life; and the ſaid Rajah came into the pinnace in which the ſaid Haſtings was carried, and in a lowly and ſuppliant manner, alone, and without any guard or attendance whatſoever, entreated his favour; and being received with great ſternneſs and arrogance, he did put his turban in the lap of the ſaid Haſtings, thereby ſignifying, that he abandoned his life and fortune to his diſpoſal, and then departed; the ſaid Haſtings not apprehending, nor having any reaſon to apprehend, any violence whatſoever to his perſon.

IV.

That the ſaid Haſtings, in the utmoſt ſecurity, and freedom from apprehenſion, did purſue his journey, and did arrive at the city of Benares on the 14th of Auguſt 1781, ſome hours before the Rajah, who, ſoon after his arrival, intended to pay him a viſit of honour and reſpect at his quarters, but was by the ſaid Haſtings rudely and inſolently forbid, until he ſhould receive his permiſſion. And the ſaid Haſtings, although he had previouſly determined on the ruin of the ſaid Rajah, in order to afford ſome colour of regularity and juſtice to his proceedings, did, on the day after his arrival, that is, on the 15th day of Auguſt 1781, ſend to the Rajah a charge in writing, which, though informal and irregular, may be reduced to four articles, two general, and two more particular. The firſt of the general being, "That he, (the Rajah) had, by the "means of his ſecret agents, endeavoured to excite "diſorders in the government on which he depended;" the ſecond, "That he had ſuffered the *daily* perpe-"tration of robberies and murders, even in the ſtreets "of Benares, to the great and public ſcandal of the "Engliſh name."

V.

That it appears, that the ſaid Warren Haſtings is guilty of an high offence, contrary to the fundamental principles

principles of juſtice, in the ſaid mode of charging miſdemeanors, without any ſpecification of perſon, or place, or time, or act, or any offer of ſpecification or proofs by which the party charged may be enabled to refute the ſame, in order to unjuſtly load his reputation, and to prejudice him with regard to the articles more clearly ſpecified.

VI.

That the two ſpecified articles relate to certain delays: The firſt, with regard to the payment of the ſums of money unjuſtly extorted as aforeſaid; and the ſecond, the non-compliance with a requiſition of cavalry; which non-compliance the ſaid Haſtings (even if the ſaid charges had been founded) did falſely, and in contradiction to all law, affirm and maintain (in his accuſation againſt the Rajah, and addreſſing himſelf to him) "to amount to a *direct* charge of diſaffection and "*infidelity* to the government on which you depend." And further proceeded as follows: "I therefore judged "it proper to ſtate them, (the ſaid charges) thus fully "to you in writing, and to *require* your anſwer; and "this I expect *immediately*." That the ſaid Haſtings ſtating his pretended facts to amount to a charge of the nature (as he would have it underſtood) of high treaſon; and *therefore*, calling for an *immediate* anſwer, did wilfully act againſt the rules of natural juſtice, which requires that a convenient time ſhould be given to anſwer, proportioned to the greatneſs of the offence alledged, and the heavy penalties which attend it; and when he did arrogate to himſelf a right both to charge and to judge in his own perſon, he ought to have allowed the Rajah full opportunity for conferring with his Miniſters, his Doctors of Law, and his Accountants, on the facts charged, and on the criminality inferred in the ſaid accuſation of diſloyalty and diſaffection, or offences of that quality.

VII. That

VII.

That the ſaid Rajah did, under the preſſure of the diſadvantages aforeſaid, deliver in, upon the very evening of the day of the charge, a full, complete, and ſpecific anſwer to the two articles therein ſpecified; and did alledge, and offer proof, that the whole of the extraordinary demands of the ſaid Haſtings had been actually long before paid and diſcharged; and did ſtate a proper defence with regard to the cavalry, even ſuppoſing him bound (when he was not bound) to furniſh any. And the ſaid Rajah did make a direct denial of the truth of the two *general* articles, and did explain himſelf on the ſame in as ſatisfactory a manner, and as fully as their nature could permit; offering to enter into immediate trial of the points in iſſue between him and the ſaid Haſtings, in the remarkable words following: "My enemies, with a view to my ruin, have made "falſe repreſentations to you. Now that, *happily for* "*me*, you have yourſelf arrived at this place, you will "be able to aſcertain all the circumſtances; firſt, relative to the horſe; ſecondly, to my people going "to Calcutta; and, thirdly, the dates of the receipts "of the particular ſums above-mentioned. You will "then know whether I have amuſed you with a falſe "repreſentation, or made a juſt report to you." And in the ſaid anſwer the ſaid Rajah complained, but in the moſt modeſt terms, of an injury to him of the moſt dangerous and criminal nature in tranſactions of ſuch moment, namely, his not receiving any anſwer to his letters and petitions; and concluded in the following words: "I have never ſwerved in the ſmalleſt degree "from my duty to you. It remains with you to decide "on all theſe matters. I am in every caſe your ſlave. "What is juſt I have repreſented to you. May your "proſperity increaſe!"

VIII.

That the ſaid Warren Haſtings was bound, by the eſſential principles of natural juſtice, to attend to the claim made by the Rajah to a fair and impartial trial and enquiry

enquiry into the matter of accuſation brought againſt him by the ſaid Haſtings, at a time and place which furniſhed all proper materials, and the preſence of all neceſſary witneſſes; but the ſaid Haſtings, inſtead of inſtituting the ſaid enquiry, and granting trial, did receive an humble requeſt for juſtice from a great prince as a freſh offence, and as a perſonal inſult to himſelf; and did conceive a violent paſſion of anger, and a ſtrong reſentment thereat, declaring, that he did conſider the ſaid anſwer as not only unſatisfactory in ſubſtance, but offenſive in ſtyle: "This anſwer you will perceive to "be not only unſatisfactory in ſubſtance, but offenſive "in ſtyle; and leſs a vindication of himſelf, than a "recrimination on me. It expreſſes no concern for "the cauſes of complaint contained in my letter, or "deſire to atone for them, nor the ſmalleſt intention to "purſue a different line of conduct: An anſwer couch-"ed nearly *in terms of defiance* to requiſitions of ſo ſe-"rious a nature, I could not but conſider as a *ſtrong in-"dication of that ſpirit of independency* which the Rajah "has for ſome years paſt aſſumed, and of which indeed "I had early obſerved other manifeſt ſymptoms, both "before and from the inſtant of my arrival."—Which repreſentation is altogether, and in all parts thereof, groundleſs and injurious; as the ſubſtance of the anſwer is a juſtification proper to be pleaded, and the ſtyle, if in any thing exceptionable, it is in its extreme humility, reſulting rather from an unmanly and abject ſpirit, than from any thing of an offenſive liberty; but being received as diſreſpectful by the ſaid Haſtings, it abundantly indicates the tyrannical arrogance of the ſaid Haſtings, and the depreſſion into which the natives are ſunk under the Britiſh Government.

IX.

That the ſaid Warren Haſtings, pretending to have been much alarmed at the offenſive language of the ſaid Rajah's defence, and at certain appearances of independency which he had obſerved, not only on former occaſions, but ſince his arrival at Benares (where he had

had been but little more than one day) and which appearances he never has ſpecified in any one inſtance, did aſſert that he conceived himſelf indiſpenſably obliged to adopt ſome deciſive plan; and without any further enquiry or conſultation (which appears) with any perſon, did, at ten o'clock of the very night on which he received the before-mentioned full and ſatisfactory, as well as ſubmiſſive anſwer, ſend an order to the Britiſh Reſident (then being a public Miniſter repreſenting the Britiſh Government at the Court of the ſaid Rajah, and as ſuch bound by the law of nations to reſpect the Prince at whoſe Court he was Reſident, and not to attempt any thing againſt his perſon or ſtate; and who ought not therefore to have been choſen by the ſaid Haſtings, and compelled to ſerve in that buſineſs) that he ſhould on the next morning arreſt the ſaid Prince in his palace, and keep him in his cuſtody until further orders; which ſaid order being conceived in the moſt peremptory terms, the Rajah was put under arreſt, with a guard of about 30 orderly Sepoys, with their ſwords drawn: And the particulars thereof were reported to him as follows:

"Honourable Sir,

"I this morning, in obedience to your orders of laſt "night, proceeded with a few of my orderlies, accompanied by Lieutenant Stalker, to Shewalla "Ghaut, the preſent reſidence of Rajah Cheit Sing, and "acquainted him, it was your pleaſure he ſhould con- "ſider himſelf in arreſt; that he, ſhould order his people "to behave in a quiet and orderly manner, for that "any attempt *to reſcue him would be attended with his* "*own deſtruction. The Rajah ſubmitted quietly to the ar-* "*reſt*, and aſſured me, that whatever were your orders, "he was ready implicitly to obey: He hoped that "you would allow him a *ſubſiſtence*; but as for *his Ze-* "*mindary, his forts, and his treaſure, he was ready to lay* "*them at your feet, and his life if required.* He expreſ- "ſed himſelf much hurt at the ignominy which he af- "firmed muſt be the conſequence of his confinement;

"and intreated me to return to you with the forego-
"ing submission, hoping that you would make al-
"lowances for his youth and inexperience, and in con-
"sideration of his father's name release him from his
"confinement, as soon as he should prove the sincerity
"of his offers, and himself deserving of your compas-
"sion and forgiveness."

X.

That a further order was given, that every servant of the Rajah's should be disarmed, and a certain number only left to attend him, under a strict watch. In a quarter of an hour after this conversation, two companies of grenadier Sepoys were sent to the Rajah's palace by the said Hastings; and the Rajah being dismayed by this unexpected and unprovoked treatment, wrote two short letters or petitions to the said Hastings, under the greatest apparent dejection at the outrage and dishonour he had suffered in the eyes of his subjects, all imprisonment of persons of rank being held in that country as a mark of indelible infamy, and he also in all probability considering his imprisonment as a prelude to the taking away his life; and in the first of the said petitions he did express himself in this manner: "Whatever may be your pleasure, do it with your "own hands, I am your slave. What occasion can "there be for a guard!" And in the other, "my ho-"nour was bestowed upon me by your Highness. It "depends on you alone to take away, or not to take a-"way the country out of my hands. In case my ho-"nour is not left to me, how shall I be equal to the "business of the Government? whoever, with his "hands in a supplicating posture, is ready with his "life and property, what necessity can there be for him "to be dealt with in this way?"

XI.

That according to the said Hastings's narrative of this transaction, he, (the said Hastings) on account of the

the apparent defpondency in which thefe letters were written, "thought it *neceffary* to give him *fome* "encouragement;" and therefore wrote him a note of a few lines, carelefsly and haughtily expreffed, and little calculated to relieve him from his uneafinefs, promifing to fend to him a perfon to explain particulars; and defiring him "to fet his mind at reft, and not to "conceive any terror or apprehenfion." To which an anfwer of great humility and dejection was received.

XII.

That the report of the Rajah's arreft did caufe a great alarm in the city, in the fuburbs of which the Rajah's palace is fituated, and in the adjacent country. The people were filled with difmay and anger at the outrage and indignity offered to a prince under whofe government they enjoyed much eafe and happinefs. Under thefe circumftances the Rajah defired leave to perform his ablutions; which was refufed, unlefs he fent for water, and performed that ceremony on the fpot. This he did. And foon after fome of the people, who now began to furround the palace in confiderable numbers, attempting to force their way into the palace, a Britifh officer commanding the guard upon the Rajah ftruck one of them with his fword. The people grew more and more irritated; but a meffage being fent from the Rajah to appeafe them, they continued, on this interpofition, for a while quiet. Then the Rajah retired to a fort of ftone pavilion or baftion, to perform his devotions, the guard of Sepoys attending him in this act of religion. In the mean time a perfon of the meaneft ftation, called a Chubdar, at the beft anfwering to our common Beadle or Tipftaff, was fent with a meffage (of what nature does not appear) from Mr. Haftings or the refident, to the prince under arreft; and this bafe perfon, without regard to the rank of the prifoner, or to his then occupation, addreffed him in a rude, boifterous manner, "paffionately and "infultingly," (as the faid Rajah has without contradic-

tion aſſerted) "and reviling him with a loud voice, "gave both him and his people the vileſt abuſe;" and the manner and matter being obſervable and audible to the multitude, divided only by an open ſtone lattice from the ſcene within; and a firing commenced from without the palace; on which the Rajah again interpoſed and did what in him lay to ſuppreſs the tumult, until an Engliſh officer, ſtriking him with his ſword, and wounding him on the hand, the people no longer kept any meaſures, but broke through the incloſure of the palace. The inſolent Tipſtaff was firſt cut down, and the multitude falling upon the Sepoys and Engliſh officers, the whole, or nearly the whole, were cut to pieces; the ſoldiers having been ordered to that ſervice without any charges for their pieces. And in this tumult the Rajah, being juſtly fearful of falling into the hands of the ſaid Haſtings, did make his eſcape over the walls of his palace, by means of a rope, formed of his turban tied together, into a boat upon the river, and from thence into a place of ſecurity; abandoning many of his family to the diſcretion of the ſaid Haſtings, who did cauſe the ſaid palace to be occupied by a company of ſoldiers, after the flight of the Rajah.

XIII.

That the Rajah, as ſoon as he had arrived at a place of refuge, did, on the very day of his flight, ſend a ſuppliant letter to the ſaid Haſtings, filled with expreſſions of concern (affirmed by the ſaid Haſtings to be ſlight expreſſions) for what had happened, and profeſſions (ſaid by the ſaid Haſtings to be indifinite and unapplied) of fidelity: But the ſaid Warren Haſtings, though bound by his duty to hear the ſaid Rajah, and to prevent extremities if poſſible, being filled with inſolence and malice, did not think it "*becoming* "of him to make any reply to it; and that he *thought* "he ordered the bearer of the letter to be told that it "*required none.*"

XIV. That

XIV.

That this letter of ſubmiſſion having been received, the ſaid Rajah not diſcouraged or provoked from uſing every attempt towards peace and reconciliation, did again apply, on the very morning following, to Richard Johnſon, Eſquire, for his interpoſition, but to no purpoſe; and did likewiſe, with as little effect, ſend a meſſage to Cantû Babû, native ſteward and confidential agent of the ſaid Haſtings, which was afterwards reduced into writing, "to exculpate himſelf from any "concern in what had paſſed, and to profeſs his obedi-"ence to his *will* (Haſtings) *in whatever* way he ſhould "dictate." But the ſaid Haſtings, for ſeveral falſe and contradictory reaſons by him aſſigned, did not take any advantage of the ſaid opening, attributing the ſame to artifice, in order to gain time; but inſtead of accepting the ſaid ſubmiſſions, he did reſolve upon flight from the city of Benares, and did ſuddenly fly therefrom in great confuſion.

XV.

That the ſaid Hafting did perſevere in his reſolutions not to liſten to any ſubmiſſion, or offer of accommodation whatſoever, though ſeveral were afterwards made, through almoſt every perſon who might be ſuppoſed to have influence with him, but did cauſe the Rajah's troops to be attacked and fallen upon, though they only acted on the defenſive (as the Rajah has without contradiction aſſerted) and thereby, and by his preceding refuſal of propoſitions of the ſame nature, and by other his perfidious, unjuſt, and tyrannical acts, by him perpetrated and done, and by his total improvidence in not taking one rational ſecurity whatſoever againſt the enevitable conſequences of thoſe acts, did make himſelf guilty of all the mutual ſlaughter and devaſtation which enſued, as well as, in his opinion, of the imminent danger of the total ſubverſion of the Britiſh power in India, by the riſqe of his own perſon, which he aſſerts that it did run; as alſo, "that "it

"it ought not to be thought that he attributed too "much consequence to his personal safety, when he "supposed *the fate of the British empire in India connected with it*; and that, mean as its substance may "be, its accidental qualities were equivalent to those "which, like the characters of a Talisman in the Arabian Mythology, formed the *essence* of the state itself, "representation, title, and the *estimate* of the public "opinion. That had he fallen, such a stroke would "be universally considered as decisive of the national "fate. Every state round it would have started into "arms against it; and *every subject of its own dominion* "*would, according to their several abilities, have become* "*its enemy.*" And that he knew, and has declared, that though the said stroke was not struck, that great convulsions did actually ensue from his proceedings. "That half the province of Oude was in a state of as "compleate rebellion as that of Benares;" and that invasions, tumults and insurrections, were occasioned thereby in various other parts.

XVI.

That the said Warren Hastings, after he had collected his forces from all parts, did with little difficulty or bloodshed, subsequent to that time, on the part of his troops, and in a few days, entirely reduce the said province of Benares: and did, after the said short, and little-resisted hostility, in cold blood, issue an order for burning a certain town, in which he accused the people at large of having killed, "upon what provocation he knows not," certain wounded Sepoys who were prisoners; which orders, being *generally* given, when it was his duty to have made some enquiry concerning the particular offenders, but which he did never make or cause to be made, was cruel, inhuman, and tended to the destruction of the revenues of the company; and that this, and other acts of devastation, did cause the loss of two months of the collections.

XVII. That

XVII.

That the ſaid Warren Haſtings did not only refuſe the ſubmiſſions of the ſaid Rajah, which were frequently repeated through various perſons after he had left Benares, and even after the defeat of certain of the company's forces, but did proſcribe and except him from the pardons which he iſſued after he had ſatisfied his vengeance on the province of Benares.

XVIII.

That the ſaid Warren Haſtings did ſend to a certain caſtle called Bidgigur, the reſidence of a perſon of high rank, called Pauna, the mother of the Rajah of Benares, with whom his wife, a woman deſcribed by the ſaid Haſtings "to be of an amiable character;" and all the other women of the Rajah's family, and the ſurvivors of the family of his father Bulwant Sing, a body of troops to diſpoſſeſs them of her ſaid reſidence, and to ſeize upon her money and effects, although ſhe did not ſtand, even by himſelf, accuſed of any offence whatſoever; pretending, but not proving, and not attempting to prove, *then* nor ſince, that the Treaſures therein contained were the property of the Rajah, and not her own; and did, in order to ſtimulate the Britiſh ſoldiery to rapine and outrage, iſſue to them ſeveral barbarous orders, contrary to the practice of civilized nations, relative to their property, moveable and immoveable, attended, with unworthy and unbecoming menaces, highly offenſive to the manners of the eaſt, and the particular reſpect there paid to the female ſex; which letters and orders, as well as the letters which he had received from the officers concerned, the ſaid Haſtings did unlawfully ſuppreſs, until forced, by the diſputes between him and the ſaid officers, to diſcover the ſame; and the ſaid orders are as follow:

"I am this inſtant favoured with yours of yeſterday. "Mine of the ſame date (22d October 1781) has before this time acquainted you with my reſolutions "and ſentiments reſpecting the Rannee (the mother "of

"of the Rajah Cheyt Sing) I think every demand ſhe "has made to you, except that of ſafety and reſpect "for her perſon, is unreaſonable. If the reports "brought to me are true, *your rejecting her offers, or any* "*negociations with her*, would ſoon obtain you poſſeſ-"ſion of the fort upon your own terms. I apprehend "that ſhe will contrive *to defraud the captors of a conſi-* "*derable part of the booty, by being ſuffered to retire with-* "*out examination. But this is your conſideration, and not* "*mine. I ſhould be very ſorry that your officers and ſoldiers* "*loſt any part of the reward to which they are ſo well en-* "*titled*; but I cannot make any objection, as you muſt "be the beſt judge of the expediency of the *promiſed* "indulgence to the Rannee. What you have engaged "for, I will certainly ratify; but as to permitting the "Rannee to hold the Purgunnah of Hurluk, or any "other in the Zemindary, without being ſubject to the "authority of the Zemindar, or any lands whatever, "*or indeed making any conditions with her for a proviſion,* "*I will never conſent to it*." And in another letter to the ſame perſon, dated Benares 3d of November 1781, in which he the ſaid Haſtings conſents that the ſaid woman of diſtinction ſhould be allowed to evacuate the place, and to receive protection, he did expreſs himſelf as follows: "I am willing to grant her now the ſame condi-"tions to which I at firſt conſented; provided that "ſhe delivers into your poſſeſſion, within twenty-four "hours from the time of receiving your meſſage, the "fort of Bidzigurr, with the treaſure and effects lod-"ged therein by Cheit Sing, or any of his adherents, "with the reſerve only, as abovementioned, of ſuch "articles *as you ſhall think neceſſary to her ſex and condi-* "*tion*, or as you ſhall be diſpoſed *of yourſelf to indulge* "*her with*. If ſhe complies, as I expect ſhe will, it "will be your part to ſecure the fort, and the proper-"ty it contains, for *the benefit of yourſelf and detachment*. "I have only further to requeſt that you will grant an "eſcort, if Pauna ſhould require it, to conduct her "here, or wherever ſhe may chooſe to retire to. But "ſhould ſhe refuſe to execute the promiſe ſhe has "made, *or delay it beyond the term of* 24 *hours*, it is my

"*poſitive*

"*positive* injunction that you immediately put a ſtop to "any further intercourſe or negociation with her, and "on no pretext renew it. If ſhe diſappoints *or trifles* "with me, after I have ſubjected my *Duan* to the diſ-"grace of returning ineffectually, and of courſe myſelf "to diſcredit, I ſhall conſider it as a *wanton affront and* "*indignity which I can never forgive*, nor will I grant her "any conditions whatever, but leave her expoſed to "*thoſe dangers* which ſhe has choſen to riſque, rather "than truſt to the clemency and generoſity of our go-"vernment. I think *ſhe cannot be ignorant of theſe con-*"*ſequences, and will not venture to incur them*; and it is "for this reaſon I place a dependence on her offers, "and have conſented to ſend my Duan to her."

XIX.

That the caſtle aforeſaid being ſurrendered upon terms of ſafety, and on expreſs condition of not attempting to ſearch their perſons, the women of rank aforeſaid, her female relations, and female dependants, to the number of three hundred, beſides children, evacuated the ſaid caſtle; but the ſpirit of rapacity being excited by the letters and other proceedings of the ſaid Haſtings, the capitulation was ſhamefully and outrageouſly broken, and in deſpite of the endeavours of the commanding officer, the ſaid woman of high condition, and her female dependants, friends, and ſervants, were plundered of the effects they carried with them, and which were reſerved to them in the capitulation of their fortreſs, and in their perſons were otherwiſe rudely and inhumanly dealt with, by the licentious followers of the camp; for which outrages, repreſented to the ſaid Haſtings with great concern by the commanding officer, Major Popham, he, the ſaid Haſtings, did afterwards recommend a late and fruitleſs redreſs.

XX.

That the Governor General, Warren Haſtings, in exciting the hopes of the military, by declaring them

well entitled to the plunder of the forttefs aforefaid, the refidence of the mother and other women of the Rajah of Benares, and by wifhing the troops to fecure the fame for their own benefit, did advife and act in direct contradiction to the orders of the Court of Directors, and to his own opinion of his public duty, as well as to the truth and reality thereof; he having fome Years before entered in writing the declaration which follows "The very idea of *prize money* fuggefts to my remem-"brance *the former diforders which arofe in our army from* "*this fource, and had almoft proved fatal to it.* Of this "circumftance you muft be fufficiently apprized, and "of the neceffity for difcouraging every expectation of "this kind amongft the troops—*it is to be avoided like* "*poifon.* The bad effects of a fimilar meafure were "but too plainly felt in a former period, and our "honourable mafters did not fail on that occafion to "reprobate with their cenfure, in the moft fevere terms "a practice which they regarded as the fource of in-"finite evils; and which, if eftablifhed, would in "their judgment neceffarily bring corruption and ruin "on their army."

XXI.

That the faid Haftings, after he had given the licence aforefaid, and that in confequence thereof the booty found in the caftle, to the amount of 23,27,813 current rupees, was diftributed among the foldiers employed in its reduction, the faid Haftings did retract his declaration of right, and his permiffion to the foldiers to appropriate to themfelves the plunder, and endeavoured by various devices and artifices to explain the fame away, and to recover the fpoil aforefaid for the ufe of the company; and wholly failing in his attempt to refume, by a breach of faith with the foldiers, what he had unlawfully difpofed of by a breach of duty to his conftituents, he attempted to obtain the fame as a loan in which attempt he alfo failed; and the aforefaid money being the only part of the treafures belonging to the Rajah, or any of his family, that had been

found

found, he was altogether fruſtrated in the acquiſition of ever part of that diſhonourable object, which alone he pretended to and purſued through a long ſeries of acts of injuſtice, inhumanity, oppreſſion, violence, and bloodſhed, at the hazard of his perſon and reputation, and, in his own opinion, at the riſk of the total ſubverſion of the Britiſh empire.

XXII.

That the ſaid Warren Haſtings, after the commiſſion of the offences aforeſaid, being well aware that he ſhould be called to an account for the ſame, did, by the evil counſel and agency of Sir Elijah Impey, Knight, His Majeſty's Chief Juſtice, who was then out of the limits of his juriſdiction, cauſe to be taken at Benares, before or by the ſaid Sir Elijah Impey, and through the intervention, not of the Company's Interpreter, but of a certain private Interpreter of his, the ſaid Haſtings's, own appointment, and a dependant on him, called Major Davy, ſeveral declarations and depoſitions by natives of Hindoſtan, and did alſo cauſe to be taken before the ſaid Sir Elijah Impey, ſeveral atteſtations in Engliſh, made by Britiſh ſubjects, and which were afterwards tranſmitted to Calcutta, and laid before the Council General, ſome of which depoſitions were upon oath, ſome upon honour, and others neither upon *oath* nor *honour*, but all or moſt of which were of an irregular and irrelevant nature, and not fit or decent to be taken by a Britiſh magiſtrate, or to be tranſmitted to a Britiſh government.

XXIII.

That one of the ſaid atteſtations (but not on oath) was made by a principal Miniſter of the Nabob of Oude, to whom the ſaid Haſtings had ſome time before propoſed to ſell the ſovereignty of that very territory of Benares; and that one other atteſtation (not upon oath) was made by a native woman of diſtinction, whoſe ſon he, the ſaid Haſtings, did actually promote to the

government of Benares, vacated by the unjuſt expulſion of the Rajah aforeſaid, and who in her depoſition did declare, that ſhe conſidered the expelled Rajah as her enemy; and that he never did confer with her, or ſuffer her to be acquainted with any of his deſigns.

XXIV.

That beſides the depoſitions of perſons intereſted in the ruin of the Rajah, others were made by perſons who then received penſions from him the ſaid Haſtings; and ſeveral of the affidavits were made by perſons of mean condition, and ſo wholly illiterate as not to be able to write their names.

XXV.

That he, the ſaid Haſtings, did alſo cauſe to be examined, by various proofs and eſſays, the reſult of which was delivered in upon honour, the quality of certain military ſtores, taken by the Britiſh troops from the ſaid Rajah of Benares; and upon the report that the ſame were of a good quality, and executed by perſons converſant in the making of good military ſtores, although the cannon was ſtated by the ſame authority to be bad, he, the ſaid Warren Haſtings, from the report aforeſaid, did maliciouſly, and contrary to the principles of natural and legal reaſon, infer that the inſurrection which had been raiſed by his own violence and oppreſſion, and rendered for a time ſucceſsful by his own improvidence, was the conſequence of a premeditated deſign to overturn the Britiſh empire in India, and to exterminate therefrom the Britiſh nation; which deſign, if it had been true, the ſaid Haſtings might have known, or rationally conjectured, and ought to have provided againſt. And if the ſaid Haſtings had received any credible information of ſuch deſign, it was his duty to lay the ſame before the Council Board, and to ſtate the ſame to the Rajah when he was in a condition to have given an anſwer thereto, or to obſerve thereon; and not, after he had proſcribed and driven him

him from his dominions, to have enquired into offences to juſtify the previous infliction of puniſhment.

XXVI.

That it does not appear that in taking the ſaid depoſitions there was any perſon preſent on the part of the Rajah to object to the competence or credibility, or relevancy of any of the ſaid affidavits, or other atteſtations, or to account, otherwiſe than as the ſaid deponents did account, for any of the facts therein ſtated; nor were any copies thereof ſent to the ſaid Rajah, although the Company had a Miniſter at the place of his reſidence, namely, in the camp of the Mahratta Chief Scindia, ſo as to enable him to tranſmit to the Company any matters which might induce or enable them to do juſtice to the injured Prince aforeſaid. And it does not appear that the ſaid Haſtings has ever produced any witneſs, letter, or other document, tending to prove that the ſaid Rajah ever did carry on any hoſtile negociation whatever with any of thoſe powers with whom he was charged with a conſpiracy againſt the Company, previous to the period of the ſaid Haſtings's having arreſted him in his palace, although he the ſaid Haſtings had various agents at the Courts of all thoſe Princes; and that a late principal agent and near relation of a Miniſter of one of them, the Rajah of Berar, called Benaram Pundit, was, at the time of the tumult at Benares, actually with the ſaid Haſtings, and the ſaid Benaram Pundit was by him highly applauded for his zeal and fidelity, and was therefore by him rewarded with a large penſion on thoſe very revenues which he had taken from the Rajah Cheyt Sing; and if ſuch a conſpiracy had previouſly exiſted, the Mahratta Miniſter aforeſaid muſt have known, and would have atteſted it.

XXVII.

That it appears that the ſaid Warren Haſtings, at the time that he formed his deſign of ſeizing upon the treaſures

treaſures of the Rajah of Benares, and of depoſing him, did not believe him guilty of that premeditated project for driving the Engliſh out of India, with which he afterwards thought fit to charge him, or that he was really guilty of any other great offence; becauſe he has cauſed it to be depoſed, that if the ſaid Rajah ſhould pay the ſum of money by him exacted, "he "would ſettle his Zemindary upon him on the moſt "eligible footing:" Whereas, if he had conceived him to have entertained traiterous deſigns againſt the Company, from whom he held his tributary eſtate, or had been otherwiſe guilty of ſuch enormous offences as to make it neceſſary to take extraordinary methods for coercing him, it would not have been proper for him to ſettle upon ſuch a traitor and criminal the Zemindary of Benares, or any other territory, upon the moſt eligible, or upon any other footing whatever; whereby the ſaid Haſtings has by his own ſtating demonſtrated, that the money intended to have been exacted was not as a puniſhment for crimes, but that the crimes pretended, for the purpoſe of exacting money.

XXVIII.

That the ſaid Warren Haſtings, in order to juſtify the acts of violence aforeſaid to the Court of Directors, did aſſert certain falſe facts, known by him to be ſuch, and did draw from them certain falſe and dangerous inferences, utterly ſubverſive of the rights of the Princes and ſubjects dependent on the Britiſh nation in India, contrary to the principles of all juſt government, and highly diſhonourable to that of Great Britain; namely, that the "Rajah of Benares was not a "vaſſal or tributary Prince; and that the deeds which "paſſed between him and the Board upon the transfer "of the Zemindary in 1775, were not to be under- "ſtood to bear the quality and force of a treaty upon "optional conditions between equal ſtates; that the "payments to be made by him were not a tribute, but "a rent; and that the inſtruments by which his terri- "tories were conveyed to him did not differ from

"common

" common grants to Zemindars, who were merely ſub-" jects; but that being nothing more than a common " Zemindar and mere ſubject, and the Company hold-" ing the acknowledged rights of his former ſovereign, " held an abſolute authority over him; that in the " known relations of Zemindar to the ſovereign au-" thority or power delegated by it, he owed a perſonal " allegiance, and an implicit and unreſerved obedience " to that authority, at the forfeiture of his Zemindary, " and even of his life and property." Whereas the ſaid Haſtings did well know, that whether the payments from the Rajah were called *rent* or *tribute*, having been frequently by himſelf called the one and the other, and that of whatever nature the inſtruments by which he held might have been, he did not conſider him as a common Zemindar or Landholder, but as far independent as a tributary Prince could be; for he did aſſign as a reaſon for receiving his rent rather within the Company's province than in his own capital, that it would not " fruſtrate the intention of rendering the " Rajah *independent*; that if a reſident was appointed " to receive the money as it became due at Benares, " ſuch a reſident would unavoidably acquire an influ-" ence over the Rajah and over his country, which " would in effect render him the maſter of both; that " this conſequence might not perhaps be brought " completely to paſs without a ſtruggle, and many " appeals to the Council, which, in a government " conſtituted like this, cannot fail to terminate againſt " the Rajah, and by the conſtruction to which his " oppoſition to the agent would be liable, might " eventually draw on him ſevere reſtrictions, and end " *in reducing him to the mean and depraved ſtate of a* " *Zemindar*.

XXIX.

And the ſaid Haſtings, in the ſaid minute of conſultation, having enumerated the frauds, embezzlements, and oppreſſions which would enſue from the Rajah's being in the dependant ſtate aforeſaid; and having

having obviated all apprehenſions from giving to him the implied ſymbols of dominion, did aſſert, " that " without ſuch appearance, he would expect from every " change of government additional demands to be " made upon him; and would of courſe deſcend to all " the arts of intrigue and concealment practiſed by " other dependent Rajahs, which would keep him " indigent and weak, and eventually prove hurtful to " the Company. But that by proper encouragement " and protection, he might prove a profitable depen- " dant, an uſeful barrier, and even a powerful ally to " the Company; but that he would be neither, if the " conditions of his connection with the Company were " left open to future variations."

XXX.

That if the fact had been true, that the Rajah of Benares was merely an eminent Landholder, or any other ſubject, the wicked and dangerous doctrine aforeſaid; namely, that he owed a perſonal allegiance, and an implicit and unreſerved obedience to the ſovereign authority, at the forfeiture of his Zemindary, and even of his life and property, at the diſcretion of thoſe who held, or fully repreſented, the ſovereign authority, doth leave ſecurity neither for life nor property to any perſons reſiding under the Company's protection; and that no ſuch powers, nor any powers of that nature, had been delegated to the ſaid Warren Haſtings, by any proviſions of the Act of Parliament appointing a Governor General and Council at Fort William in Bengal.

XXXI.

That the ſaid Warren Haſtings did alſo advance another dangerous and pernicious principle, in juſtification of his violent, arbitrary, and iniquitous actings aforeſaid; namely, " that if he had acted with an un- " warrantable rigour, and even injuſtice towards Cheyt " Sing, yet, firſt, if he did *believe* that extraordinary " means

means were neceſſary, and thoſe exerted with a ſtrong hand, to preſerve the Company's intereſts from ſinking under the accumulated weight that oppreſſed them; or, ſecondly, if he ſaw a *political neceſſity* for curbing the *overgrown* power of a great member of their dominion, and to make it contribute to the relief of their preſſing exigencies; that his error would be excuſable, as prompted by an exceſs of zeal for their (the Company's) intereſt, operating with too ſtrong a bias on his judgment;—but that much ſtronger is the preſumption that ſuch acts are are founded on juſt principles, than that they are the reſult of a miſguided judgment." That the ſaid ctrines are, in both the members thereof, ſubverſive all the principles of juſt government, by empowering a Governor with delegated authority in the firſt e, on his own private *belief* concerning the neceſſities the State, not to levy an impartial and equal rate of ation ſuitable to the circumſtances of the ſeveral mbers of the community, but to ſelect any indivial from the ſame as an object of arbitrary and unmeaed impoſition; and, in the ſecond caſe, enabling the ne Governor, on the ſame arbitrary principles, to ermine whoſe property ſhould be conſidered as overown, and to reduce the ſame at his pleaſure.

END OF PART III.

PART IV.

Second Revolution in Benares.

I.

THAT the ſaid Warren Haſtings, after he had in the manner aforeſaid, unjuſtly and violently ex pelled the Rajah Cheyt Sing, the Lord or Zemindar o Benares, from his ſaid Lordſhip or Zemindary, did, c his own mere uſurped authority, and without an communication with the other members of the Counc of Calcutta, appoint another perſon, of the nam of Mehip Narrain, a deſcendant by the mother fro the late Rajah Bulwant Sing, to the government c Benares; and, on account or pretence of his yout and inexperience (the ſaid Mehip Narrain not being a bove twenty years old) did appoint his father Durbeg Sing to act as his repreſentative or adminiſtrator of h affairs; but did give a controlling authority to the Br tiſh Reſident over both, notwithſtanding his declarat ons before-mentioned of the miſchiefs likely to happe to the ſaid country from the eſtabliſhment of a Reſ dent, and his opinion ſince declared, in a letter t the Court of Directors, dated from this very plac (Benares) the 1ſt of October 1784, to the ſame c ſtronger effect, in caſe "agents are ſent into the countr "and armed with authority for the purpoſes of ven "geance and corruption, *for to no other will they be ap* "*plied.*"

II.

That the ſaid Warren Haſtings did, by the ſam uſurped authority, entirely ſet aſide all the agreemen made between the late Rajah and the Company (whic were real agreements with the State of Benares, in th perſon of the Lord or Prince thereof, and his heirs and without any form of trial, inquiſition, or other l-

gl

gal procefs, for forfeiture of the privileges of the people to be governed by Magiftrates of their own, and according to their natural laws, cuftoms, and ufages, did, contrary to the faid agreement, feparate the mint and the criminal juftice from the faid government, and did veft the Mint in the Britifh Refident, and the criminal juftice in a Mahommedan native of his own appointment: and did enhance the tribute to be paid from the province from 250,000l. annually, limited by treaty, or thereabouts, to three hundred and thirty thoufand pounds for the firft year, and to four hundred thoufand for every year after; and did compel the the adminiftrator aforefaid (father to the Rajah) to agree to the fame; and did, by the fame ufurped authority, illegally impofe, and caufe to be levied, fundry injudicious and oppreffive duties on goods and merchandize, which did greatly impair the trade of the province, and threaten the utter ruin thereof; and did charge feveral penfions on the faid revenues, of his own mere authority; and did fend and keep up various bodies of the Company's troops in the faid country; and did perform fundry other acts, with regard to the faid territory, in total fubverfion of the rights of the foverign and the people, and in violation of the treaties and agreements aforefaid.

III.

That the faid Warren Haftings being abfent, on account of ill health, from the prefidency of Calcutta, at a place called Nia Serai, about forty miles diftant therefrom, did carry on a fecret correfpondence with the Refident at Benares, and, under colour that the inftalments for the new rent or tribute were in arrear, did, of his own authority, make, in about one year, a fecond revolution in the government of the territory aforefaid; and did order and direct that Durbege Sing aforefaid, father of the Rajah, and adminiftrator of his authority, fhould be deprieved of his office and of his lands, and thrown into prifon; and did threaten him with death, although he, the faid Warren Haftings, had, at the

time of the making his new arrangement, declared himſelf ſenſible that the rent aforeſaid might require abatement; although he was well apprized that the adminiſtrator had been for two months of his adminiſtration in a weak and languid ſtate of body, and wholly incapable of attending to the buſineſs of the collections; though a conſiderable drought had prevailed in the ſaid province, and did conſequently affect the regularity and produce of the collections; and though he had other ſufficient reaſon to believe that the ſaid adminiſtrator had not himſelf received from the collectors of government, and the cultivators of the ſoil, the rent in arrear; yet he, the ſaid Warren Haſtings, without any known proceſs, or recording any anſwer, defence, plea, exculpation, or apology from the party, or recording any other grounds of rigour againſt him, except the following paragraph of a letter from the Reſident, not only gave the order as aforeſaid, but did afterwards, without laying any other or better ground before the Council General, perſuade them to, and did procure from them, a confirmation of the aforeſaid cruel and illegal proceedings, the correſpondence concerning which had not been before communicated: He pleaded his illneſs for not communicating the ſame, though that illneſs did not prevent him from carrying on correſpondence concerning the depoſition of the ſaid adminiſtrator, and other important affairs in various places.

IV.

That in the letter to the Council, requiring the confirmation of his acts aforeſaid, the ſaid Warren Haſtings did not only propoſe the confinement of the ſaid adminiſtrator at Benares, although by his impriſonment he muſt have been in a great meaſure diſabled from recovering the balances due to him, and for the non-payment of which he was thus impriſoned, but did propoſe as an alternative his impriſonment at a remote fortreſs, out of the ſaid territory, and in the Company's provinces, called Chunar; deſiring them to direct the Reſident

Refident at Benares " to exact from Baboo Dubbitzee " Sing every rupee of the collections which it fhall ap- " pear that he has made, and not brought to account; " and either to confine him at Benares, or to fend him a " prifoner to Chunar, and to keep him in confinement " until he fhall have difcharged the whole of the a- " mount due from him." And the faid Warren Haftings did affign motives of paffion and perfonal refentment for the faid unjuft and rigorous proceedings, as follows: " I feel myfelf, and may be allowed on " fuch an occafion to acknowledge it, perfonally hurt " at the ingratitude of this man, and at the difcredit " which his ill conduct has thrown on my appoint- " ment of him. He has deceived me; he has of- " fended againft the government which I then repre- " fented." And, as a further reafon for depriving him of his Jaghire (or falary out of land) he did infinuate in the faid letter, but without giving or offering any proof, " that the faid Rajah had been guilty of " *little and mean peculations*, although the appointments " affigned to him had been fufficient to free him from " the temptations thereto."

V.

That it appears, as it might naturally have been expected, that the wife of the faid adminiftrator, the daughter of Bulwant Sing the late Rajah of Benares, and her fon the reigning Rajah, did oppofe, to the beft of their power, but by what remonftrances, or upon what plea, the faid Warren Haftings did never inform the Court of Directors, the depofition, imprifonment, and confifcation of the eftates of the hufband of the one, and the father of the other; but that the faid Haftings, perfifting in his malice, did declare to the faid Council as follows: "The oppofition made by the " Rajah and the old Rannee, both equally incapable of " judging for *themfelves*, do certainly originate from " fome fecret influence, which ought to be checked by " a decided and peremptory declaration of the authority " of

" of the Board, and a denunciation of their diſpleaſure " at *their preſumption.*"

VI.

That the ſaid Warren Haſtings, not ſatisfied with the injuries done, and the inſults and diſgraces offered, to the family aforeſaid, did, in a manner unparalleled, except by an act of his own on another occaſion, fraudulently and inhumanly endeavour to make the wife and ſon of the ſaid adminiſtrator, contrary to the ſentiments and the law of nature, the inſtruments of his oppreſſions; directing, " that if they (the mother and ſon aforeſaid) " could be *induced* to yield the *appearance of a cheerful* " *acquieſcence* in the new arrangements, and to adopt " it as a *meaſure formed with their participation*, it would " be better than that it ſhould be done by a declared " act of compulſion, but that at all events it ought " to be done."

VII.

That, in conſequence of the preſſing declarations aforeſaid of the ſaid Warren Haſtings, the Council did on his ſpecial recommendation appoint, in oppoſition to the wiſhes and deſires of the Rajah and his mother, another perſon to the adminſtration of his affairs, called Jagher Deo Seo.

VIII.

That the Company having ſent expreſs orders for the ſending the Reſident by them before appointed to Benares, the ſaid Warren Haſtings did ſtrongly oppoſe himſelf to the ſame; and did throw upon the perſon appointed by the Company (Francis Fowke, Eſquire) ſeveral ſtrong but unſpecified reflections and aſperſions, contrary to the duty he owed to the Company, and to the juſtice he owed to all its ſervants.

IX. That

IX.

That the ſaid Reſident being appointed by the votes of the reſt of the Council, in obedience to the reiterated orders of the Company, and in deſpite of the oppoſition of the ſaid Haſtings, did proceed to Benares; and on the repreſentation of the parties, and the ſubmiſſion of the accounts of the aforeſaid Durbitzee Sing to an arbitrator, did find him, the ſaid Durbitzee Sing, in debt to the Company for a ſum not conſiderable enough to juſtify the ſevere treatment of the ſaid Durbitzee Sing: His wife and ſon complaining, at or about the ſame time, that the balances due to him from the Aumils, or ſub-collectors, had been received by the new adminiſtrator, and carried to his own credit, in prejudice and wrong to the ſaid Durbitzee Sing; which repreſentation, the only one that has been tranſmitted on the part of the ſaid ſufferers, has not been contradicted.

X.

That it appears that the ſaid Durbitzee Sing did afterwards go to Calcutta, for the redreſs of his grievances; and that it does not appear that the ſame were redreſſed, or even his complaints heard, but he received two peremptory orders from the Supreme Council to leave the ſaid city, and to return to Benares: That on his return to Benares, and being there met by Warren Haſtings aforeſaid, he, the ſaid Warren Haſtings, although he had reaſon to be well aſſured that the ſaid Durbitzee Sing, was in poſſeſſion of ſmall or no ſubſtance, did again cruelly and inhumanly, and without any legal authority, order the ſaid Durbitzee Sing to be ſtrictly impriſoned: And the ſaid Durbitzee Sing, in conſequence of the vexations, hardſhips, and oppreſſions aforeſaid, died in a ſhort time after inſolvent; but whether in priſon or not, does not appear.

END OF PART IV.

PART

PART V.

Third Revolution in Benares.

I.

THAT the ſaid Warren Haſtings having, in the manner before recited, diveſted Durbege Sing of the adminiſtration of the province of Benares, did, of his own arbitrary will and pleaſure, and againſt the remonſtrances of the Rajah and his mother (in whoſe name and in whoſe right the ſaid Durbege Sing, father of the one and huſband of the other, had adminiſtered the affairs of the government) appoint a perſon, called Jagher Deo Sheo, to adminiſter the ſame.

II.

That the new adminiſtrator, warned by the ſevere example made of his predeceſſor, is repreſented by the ſaid Warren Haſtings as having made it his "avowed "principle (as it might be expected it ſhould be) "that the ſum fixed for the revenue *muſt* be collect-"ed." And he did, upon the principle aforeſaid, and by the means ſuggeſted by a principle of that ſort, accordingly levy from the country, and did regularly diſcharge to the Britiſh reſident at Benares, by monthly payments, the ſums impoſed by the ſaid Warren Haſtings, as it is aſſerted by the reſident Fowke; but the ſaid Warren Haſtings did aſſert, that his annual collections did not amount to more than Lack 37,37,600, or thereabouts, which he ſays is much ſhort of the revenues of the province, and is by about twenty-four thouſand pounds ſhort of his agreement.

III.

That it further appears, that notwithſtanding the new adminiſtrator aforeſaid was appointed two months, or

or thereabouts, after the beginning of the Fuſeli year, that is to ſay, about the middle of November 1782, and the former adminiſtrator had collected a certain portion of the revenues of that year, amounting to £. 17,000, and upwards; yet he, the ſaid new adminiſtrator, upon the unjuſt and deſtructive principle aforeſaid, ſuggeſted by the cruel and violent proceedings of the ſaid Warren Haſtings towards his predeceſſor, did levy on the province, within the ſaid year, the whole amount of the revenues to be collected, in addition to the ſum collected by his predeceſſor aforeſaid.

IV.

That, on account of a great drought which prevailed in the province aforeſaid, a remiſſion of certain duties in grain was propoſed by the chief criminal judge at Benares; but the adminiſtrator aforeſaid, being fearful that the revenue ſhould fall ſhort in his hands, did ſtrenuouſly oppoſe himſelf to the neceſſary relief to the inhabitants of the ſaid city.

V.

That notwithſtanding the cantonment of ſeveral bodies of the Company's troops within the province, ſince the abolition of the native government, it became ſubject in a particular manner to the depredations of the Rajahs upon the borders; inſomuch that in one quarter no fewer than thirty villages had been ſacked and burned, and the inhabitants reduced to the moſt extreme diſtreſs.

VI.

That the reſident, in his letter to the Board at Calcutta, did repreſent that the collection of the revenue was become very difficult; and, beſides the extreme drought, did aſſign for a cauſe of that difficulty the following;

"That there is alſo one fund which, in former "years, was often applied in this country to remedy "temporary inconveniences in the revenue, and "which in the preſent year does not exiſt. This was "the private fortunes of merchants and ſhroffs "(bankers) reſident in Benares, from whom aumils "(collectors) of credit could obtain temporary loans, "to ſatisfy the immediate calls of the Rajah. Theſe "ſums, which uſed to circulate between the aumil "and the merchant, have been turned into a diffe-"rent channel, by bills of exchange to defray the "expences of government, both on the weſt coaſt of "India, and alſo at Madras." To which repreſentation it does not appear that any anſwer was given, or that any mode of redreſs was adopted in conſequence thereof.

VII.

That the ſaid Warren Haſtings, having paſſed through the province of Benares (Gauzipore) in his progreſs towards Oude, did, in a letter dated from the city of Lucknow the 2d of April 1784, give to the Council Board at Calcutta an account (highly diſhonourable to the Britiſh government) of the effect of the arrangements made by himſelf in the year 1781 and 1782, in the words following: "Having contri-"ved, by making forced ſtages, while the troops of "my eſcort marched at the ordinary rate, to make a "ſtay of five days at Benares, I was thereby furniſhed "with the means of acquiring ſome knowledge of the "ſtate of the province, which I am anxious to com-"municate to you. Indeed the enquiry, which was "in *a great degree obtruded upon me*, affected me with "very mortifying reflections on my inability to apply "it to any uſeful purpoſe. From the confines of Buxar "to Benares, I was followed and *fatigued* by the cla-"mours of the diſcontented inhabitants. Is wat what I "expected in a degree, becauſe it is rare that the ex-"erciſe of authority ſhould prove ſatisfactory to all "who are the objects of it. The diſtreſſes which were "produced

" produced by the long continued drought unavoida-
" bly tended to heighten the general diſcontent; *yet I*
" *have reaſon to fear that the cauſe exiſted principally in a*
" *defective, if not a corrupt and oppreſſive, adminiſtra-*
" *tion.*" " Of a multitude of petitions which were
" preſented to me, and of which I took minutes, every
" one, that did not relate to a perſonal grievance, con-
" tained the repreſentation of one and the ſame ſpe-
" cies of oppreſſion, which is in its nature of an in-
" fluence moſt fatal to the future cultivation. The
" practice to which I allude is this: it is affirmed that
" the aumils and renters exact, from the proprietors
" of the actual harveſt, a large encreaſe in kind on their
" ſtipulated rent; that is, from thoſe, who hold their
" potta by the tenure of paying *one half* of the pro-
" duce of their crops, either *the whole*, without ſub-
" terfuge, or a *large* proportion of it by a *falſe meaſure-*
" *ment*, or other pretexts; and from thoſe, whoſe en-
" gagements are for a fixt rent *in money*, the half, or a
" greater portion, is taken *in kind*. This is in effect
" a tax upon the induſtry of the inhabitants; ſince
" there is ſcarce a field of grain in the province, *I*
" *might ſay not one*, which has not been preſerved by
" the inceſſant labour of the cultivator, by digging
" wells for their ſupply, or watering them from the
" wells of maſonry with which their country abounds,
" or from the neighbouring tanks, rivers, and
" nullahs. The people who impoſed on them-
" ſelves this voluntary and extraordinary labour, and
" not unattended with expence, did it on the expec-
" tation of reaping the profits of it; and it is certain
" they would not have done it, if they had known
" that their rulers, *from whom they were entitled to an*
" *indemnification*, would take from them what they had
" ſo hardly earned. If the ſame adminiſtration conti-
" nues, and the country, ſhall again labour under a
" want of rain, *every field will be abandoned, the revenue*
" *fail, and thouſands periſh through want of ſubſiſtence*;
" for who will labour for the *ſole* benefit of others, and
" to make himſelf the ſubject of exaction? Theſe
" practiſes are to be imputed to the Naib himſelf: [the

 " admi-

“ adminiſtrator forced by the ſaid Warren Haſtings
“ on the preſent Rajah of Benares.] The avowed princi-
“ ple on which he acts, and which he acknowledged to
“ myſelf, is, that the *whole* ſum fixed for the revenue
“ of the province *muſt* be collected; and that, for this
“ purpoſe, the deficiency ariſing in places where the
“ crops have failed, or which have been left unculti-
“ vated, muſt be ſupplied from the reſources of others,
“ where the ſoil has been better ſuited to the ſeaſon, or
“ the induſtry of the cultivators hath been more ſuc-
“ ceſsfully exerted: a principle which, however ſpe-
“ cious and plauſible it may at firſt appear, *certainl*
“ *tends to the moſt pernicious and deſtructive conſequences.*
“ If this declaration of the Naib had been made only
“ to myſelf, I might have doubted my conſtruction o
“ it; but it was repeated by him to Mr. Anderſon,
“ who underſtood it exactly in the ſame ſenſe. In the
“ management of the cuſtoms, the conduct of the
“ Naib or of the officer under him, was forced alſ
“ upon my attention. *The exorbitant rates exacted by a*
“ *arbitrary valuation of the goods*; the practice of ex-
“ acting duties *twice* on the ſame goods, firſt from th
“ ſeller, and afterwards from the buyer; and the vex-
“ ations, diſputes and delays, drawn on the merchant
“ by theſe oppreſſions, were loudly complained of
“ and ſome inſtances of this kind were ſaid to exiſt a
“ the very time I was at Benares. Under ſuch circum
“ ſtances, we are not to wonder if the merchants o
“ foreign countries are diſcouraged from reſorting t
“ Benares, and if the commerce of that provinc
“ ſhould annually decay. *Other* evils, or imputed evils
“ have accidentally come to my knowledge, which
“ will not now particularize; as I hope that, wit
“ the aſſiſtance of the reſident, they may be *in par*
“ corrected. One evil I muſt mention, becauſe it ha
“ been verified by my own obſervation, and is of tha
“ kind which reflects an unmerited reproach on ou
“ general and national character. When I was a
“ Buxar, the reſident, at my deſire, enjoined th
“ Naib to appoint creditable people to every town
“ through which our route lay, to perſuade and en

“ courag

"courage the inhabitants to remain in their houfes, "promifing to give them guards as I approached, "and they required it for their protection; and that "he might perceive how earneft I was for his obfer-"vation of this precaution, I repeated it to him in "perfon, and difmiffed him, that he might precede "me for that purpofe. But, to my great difappoint-"ment, *I found every place, through which I paffed, aban-"doned; nor had there been a man left in any of them for "their protection.* I am forry to add, *that, from Buxar "to the oppofite boundary, I have feen nothing but traces of "complete devaftation in every village; whether caufed by "the followers of the troops, which have lately paffed, for "their natural relief, and I know not whether my own may "not have had their fhare,* or from the apprehenfions of "the inhabitants left to themfelves, and of themfelves "deferting their houfes. I wifh to acquit my own "countrymen of the blame of thefe unfavourable ap-"pearances, and in my own heart I do acquit them; "for at one encampment a crowd of people came to "me, complaining that *their new Aumil (collector) on "the approach of any military detachment, himfelf firft fled "from the place; and the inhabitants, having no one to "whom they could apply for redrefs, or for the reprefenta-"tion of their grievances, and being thus remedilefs, fled "alfo; fo that their houfes and effects became a prey to any "perfon who chofe to plunder them.* The general conclu-"fion appeared to me an inevitable confequence from "fuch a ftate of facts; and my own fenfes bore tefti-"mony to it in this fpecific inftance: nor do I know "how it is poffible for any officer commanding a mili-"tary party, how attentive foever he may be to the "difcipline and forbearance of his people, to prevent "diforders, *when there is neither oppofition to hinder, nor "evidence to detect them.* Thefe, and many other irre-"gularities, I impute *folely* to the Naib, and recom-"mend his inftant removal.

"I cannot help remarking, that except the city "of Benares, *the province is in effect without a government. "The adminiftration of the province is mifconducted, and the "people oppreffed, trade difcouraged, and the revenue in dan-*

"ger

"*ger of a rapid decline, from the violent appropriation of*
"*its means.*"

VIII.

That the ſaid Warren Haſtings did recommend to the council, for a remedy of the diſorders and calamities which had ariſen from his own acts, diſpoſitions, and appointments, that the adminiſtrator aforeſaid ſhould be inſtantly removed from his office; attributing the aforeſaid "irregularities *and many others, ſolely* "to him;" although on his own repreſentation, it does appear that he was the ſole cauſe of the irregularities, therein deſcribed: neither does it appear that the adminiſtrator, ſo by the ſaid Haſtings nominated and removed, was properly charged and called to anſwer for the ſaid recited irregularit es, or for the *many others* not recited, but *attributed ſolely* to him; nor has any plea or excuſe from him been tranſmitted to the Board, or to the Court of Directors: but he was, at the inſtance of the ſaid Haſtings, deprived of his ſaid office, contrary to the principles of natural juſtice, in a violent and arbitrary manner; which proceeding, combined with the example made of his predeceſſor, muſt neceſſarily leave to the perſon, who ſhould ſucceed to the ſaid office, no diſtinct principle upon which he might act with ſafety. But in comparing the conſequences of the two delinquencies charged, the failure of the payment of the revenues (from whatever cauſe it may ariſe is more likely to be avoided than any ſevere courſe towards the inhabitants; as the former fault was beſides the deprivation of office, attended with two impriſonments, with a menace of death, and an actual death, in diſgrace, poverty, and inſolvency; whereas the latter, namely the oppreſſion, and thereby the total ruin of the country, charged on the ſecond adminiſtrator, was only followed by a loſs of office; although he, the ſaid Warren Haſtings, did further aſſert (but with what truth does not appear) that the collection of the laſt adminiſtrator had fallen much ſhort of the revenue of the province.

IX. That

IX.

That the ſaid Warren Haſtings himſelf was ſenſible that the frequent changes by him made would much diſorder the management of the revenues, and ſeemed deſirous of concealing his intentions concerning the laſt change until the time of its execution. Yet it appears by a letter from the Britiſh reſident dated the 23d of June 1784, "that a very ſtrong report prevailed at Be-"nares of his (the ſaid Haſtings's) intentions of ap-"pointing a new Naib for the approaching year; "and that the effect, which the prevalence of ſuch an "idea amongſt the aumils would probably have on the "cultivation at this particular time. The heavy Mo-"fuſſil Kiſts (harveſt inſtalments) have now been col-"lected by the aumils; the ſeaſon of tillage is arri-"ved; the ryots (country farmers) muſt be indulged, "and even aſſiſted by advances; and the aumil muſt "look for his returns in the abundance of the crop, the "*conſequence of this early attention to the cultivation.* The "effect is evident *which the report of a change in the firſt* "*officer of the revenue muſt have on the minds of the* "*aumils, by leaving them at an uncertainty of what they* "*have in future to expect*; and, in proportion to the "degree of this uncertainty, their efforts and expences "in promoting the cultivation will be languid and "ſparing.

"In compliance with the Naib's requeſt, I have "written to all the aumils, encouraging and ordering "them to attend to the cultivation of their reſpective "diſtricts. But I conceive I ſhould be able to pro-"mote this very deſirable intention much more ef-"fectually, if you will honour me with the com-"munication of your intentions on this ſubject. At "the ſame time I cannot help juſt remarking, that, "if a change is intended, the ſooner it takes place, "the more *the bad effects* I have deſcribed will be ob-"viated."

X. That

X.

That the Council, having received the propofition for the removal of the adminiftrator aforefaid, did alfo in a letter to him (the faid Haftings) condemn the frequent changes by him made in the adminiftration of the collections of Benares; but did confent to fuch alterations as might be made without encroaching on the rights eftablifhed by his (the faid Haftings's) agreement in the year 1781, and did defire him to tranfmit to them his plan for a new adminiftration.

XI.

That the faid Haftings did tranfmit a plan, which, notwithftanding the evils which had happened from the former frequent changes, he did propofe *as a temporary expedient* for the adminiftration of the revenues of the faid province: in which no provifion was made for the reduction or remiffion of revenue, as exigences might require; or for the extraction of the circulating fpecie from the faid province; or for the fupply of the neceffary advances for cultivation; nor for the removal or prevention of any of the grievances by him before complained of, other than an infpection by the refident and the chief criminal magiftrate of Benares, and other regulations equally void of effect and authority: and which plan Mr. Stables, one of the fupreme Council, did altogether reject; but the fame was approved of, *as a temporary expedient*, with fome exceptions, by two other Members of the Board, Mr. Wheler and Mr. Macpherfon, declaring the *faid Warren Haftings refponfible for the temporary expediency of the fame.*

XII.

That the faid Warren Haftings, in the plan aforefaid, having ftrongly objected to the appointment of any European collectors, that is to fay, of any European fervants of the Company being concerned in the fame, declaring that there had been fufficient experience

rience of the ill effects of their being ſo employed in the province of Bengal; by which the ſaid Haſtings did either, in looſe and general terms, convey a falſe imputation upon the conduct of the Company's ſervants employed in the collection of the revenues of Bengal; or he was guilty of a criminal neglect of duty, in not bringing to puniſhment the particular perſons, whoſe evil practices had given riſe to ſuch a general imputation on Britiſh ſubjects and ſervants of the Company, as to render them unfit for ſervice in other places.

XIII.

That the ſaid Warren Haſtings having, in the courſe of three years, made three complete revolutions in the ſtate of Benares, by expelling, in the firſt inſtance, the lawful and rightful governor of the ſame, under whoſe care and ſuperintendance a large and certain revenue, ſuitable to the abilities of the country, and conſiſtent with its proſperity, was paid with the greateſt punctuality; and by afterwards diſplacing two effective governors or adminiſtrators of the province, appointed in ſucceſſion by himſelf; and, in conſequence of the ſaid appointments, and violent and arbitrary removals, the ſaid province "being left in "effect without a government," except in one city only; and having, after all, ſettled no more than a temporary arrangement; is guilty of an high crime and miſdemeanor, in the deſtruction of the country aforeſaid.

No. IV.

PRINCESSES OF OUDE.

I.

THAT the reigning Nabob of Oude, commonly called Aſoph ul Dowla (ſon and ſucceſſor to Shuja ul Dowla) by taking into, or continuing in his pay certain bodies of regular Britiſh troops, and by having afterwards admitted the Britiſh Reſident at his Court into the management of all his affairs, foreign and domeſtic, and particularly into the adminiſtration of his finances, did gradually become, in ſubſtance and effect, as well as in general repute and eſtimation, a dependent on, or vaſſal of, the Eaſt India Company; and was, and is, ſo much under the controul of the Governor General and Council of Bengal, that, in the opinion of all the native powers, the Engliſh name and character is concerned in every act of his Government.

II.

That Warren Haſtings, Eſquire, contrary to law, and to his duty, and in diſobedience to the orders of the Eaſt India Company, arrogating to himſelf the nomination of the Reſident at the Court of Oude, as his particular agent and repreſentative, and rejecting the Reſident appointed by the Company, and obtruding upon them a perſon of his own choice, did, from that time, render himſelf in a particular manner reſponſible for the good government of the Provinces, compoſing the dominions of the Nabob of Oude.

III. That

III.

That the Provinces aforeſaid having been, at the ime of their firſt connection with the Company, in n improved and flouriſhing condition, and yielding a evenue of more than three millions of pounds ſter-ng, or thereabouts, did, ſoon after that period, be-in ſenſibly to decline; and the ſubſidy of the Britiſh oops ſtationed in that Province, as well as other ſums f money due to the Company by treaty, ran conſider-bly in arrear; although the Prince of the country, uring the time theſe arrears accrued, was otherwiſe diſtreſs, and had been obliged to reduce all his eſta-iſhments.

IV.

That the Prince aforeſaid, or Nabob of Oude, did, humble and ſubmiſſive terms, ſupplicate the ſaid arren Haſtings, to be relieved from a body of troops, hoſe licentious behaviour he complained of, and who ere ſtationed in his country without any obligation by eaty to maintain them; pleading the failure of harveſt, d the prevalence of famine in his country;—a com-liance with which requeſt, by the ſaid Warren Haſ-ngs, was refuſed in unbecoming, offenſive, and in-lting language.

V.

That the ſaid Nabob, labouring under the aforeſaid d other burthens, and being continually urged for yment, was adviſed to extort, and did extort from mother and grandmother, under the pretext of loans nd ſometimes without that appearance) various great ns of money, amounting in the whole to 630,000l. rling, or thereabouts; alledging in excuſe the rigo-s demands of the Eaſt India Company, for whoſe the ſaid extorted money had been demanded, and to ich a conſiderable part of it had been applied.

VI.

That the two female parents of the Nabob aforeſaid were among the women of the greateſt rank, family and diſtinction in Aſia; and were left by the deceaſe Nabob, the ſon of the one, and the huſband of th other, in charge of certain conſiderable part of his trea ſures in money, and other valuable moveables, as wel as certain landed eſtates, called Jaghires, in order t the ſupport of their own dignity, and the honourabl maintenance of his women, and a numerous offsprin and their dependents; the ſaid family amounting in th whole to two thouſand perſons, who were by the ſai Nabob, at his death, recommended in a particular ma ner to the care and protection of the ſaid Warre Haſtings.

VII.

That on the demand of the Nabob of Oude on h parents for the laſt of the ſums, which completed t ſix hundred and thirty thouſand pounds aforeſaid, the the ſaid parents did poſitively refuſe to pay any part the ſame to their ſon, for the uſe of the Company, un he ſhould agree to certain terms, to be ſtipulated i regular treaty; and, among other particulars, to ſec them in the remainder of their poſſeſſions, and alſo no account or pretence to make any further deman or claims on them; and, well knowing from when all his claims and exactions had ariſen, they demand that the ſaid treaty, or family compact, ſhould guaranteed by the Governor General and Council Bengal: And a treaty was accordingly agreed to, e ecuted by the Nabob, and guaranteed by John Briſto, Eſquire, the Reſident at Oude, under the authority a with the expreſs conſent of the ſaid Warren Haſtin and the Council General; and, in conſequence the of, the ſum laſt required was paid, and diſchar given to the Nabob for all the money which he h borrowed from his own mother and the mother of father.

VIII. Th

VIII.

That the diſtreſſes and diſorders in the Nabob's government, and his debt to the Company continuing to increaſe, notwithſtanding the violent methods before mentioned taken to augment his reſources, the ſaid Warren Haſtings, on the 21ſt of May, and on the 31ſt July 1781 (he and Mr. Wheler being the only remaining members of the Council General, and he having the concluſive and caſting voice, and thereby being in effect the whole Council) did, in the name and under the authority of the Board, reſolve on a journey to the upper provinces, in order to a perſonal interview with the Nabob of Oude, towards the ſettlement of his diſtreſſed affairs; and did give to himſelf a delegation of the powers of the ſaid Council, in direct violation of the Company's orders, forbidding ſuch delegation.

IX.

That the ſaid Warren Haſtings, having by his appointment met the Nabob of Oude near a place called Chunar, and poſſeſſing an entire and abſolute command over the ſaid Prince, he did, contrary to juſtice and equity and the ſecurity of property, as well as to public faith and the ſanction of the Company's guarantee, under the colour of a treaty, which treaty was conducted ſecretly without a written document of any part of the proceeding (except the pretended treaty itſelf) authorize the ſaid Nabob to ſeize upon, and confiſcate to his own profit, the landed eſtates, called Jaghires, of his parents, kindred, and principal nobility; only ſtipulating a penſion to the net amount of the rent of the ſaid lands as an equivalent, and that equivalent to ſuch only whoſe lands had been guaranteed to them by the Company: But provided, neither in the ſaid pretended treaty, nor in any ſubſequent act, the leaſt ſecurity for the payment of the ſaid penſion to thoſe for whom ſuch penſions was oſtenſibly reſerved; and, for the others, not ſo much as a ſhew of indemnity;—to the extreme ſcandal

ſcandal of the Britiſh Government, which valuing itſelf upon a ſtrict regard to property, did expreſsly authorize, if it did not command, an attack upon that right, unprecedented in the deſpotic Governments of India.

X.

That the ſaid Warren Huſtings, in order to cover the violent and unjuſt proceedings aforeſaid, did aſſert a claim of right in the ſame Nabob to all the poſſeſſions of the ſaid mother and grandmother, as belonging to him by the Mahommedan law; and this pretended claim was ſet up by the ſaid Warren Haſtings, after the Nabob had, by a regular treaty, ratified and guaranteed by the ſaid Haſtings as Governor General, renounced and releaſed all demands on them. And this falſe pretence of a legal demand, was taken up and acted upon by the ſaid Warren Haſtings, without laying the ſaid queſtion on record before the Council General, or giving notice to the perſons to be affected thereby, to ſupport their rights before any of the principal magiſtrates and expounders of the Mahommedan law, or taking publicly the opinions of any perſon converſant therein.

XI.

That, in order to give farther colour to the acts of ill faith and violence aforeſaid, the ſaid Warren Haſtings did cauſe to be taken at Lucknow, and other places, before divers perſons, and particularly before Sir Elijah Impey, Knight, his Majeſty's chief juſtice, acting extrajudicially, and not within the limits of his juriſdiction, ſeveral paſſionate, careleſs, irrelevant, and irregular affidavits, conſiſting of matter not fit to be depoſed on oath; of reports, conjectures, and hearſays; ſome of the perſons, ſwearing to the ſaid hearſays, having declined to declare from whom they heard the accounts at ſecond hand ſworn to: The ſaid affidavits in general tending to ſupport the calumnious charge of the ſaid Warren Haſtings; namely, that the aged women before mentioned had formed, or engaged in, a plan

plan for the depofition of their fon and fovereign, and the *utter extirpation* of the Englifh nation: And neither the faid charge againft perfons, whofe dependence was principally, if not wholly, on the good faith of this nation, and highly affecting the honour, property, and even lives of women of the higheft condition; nor the affidavits intended to fupport the fame, extrajudicially taken *ex parte*, and without notice, by the faid Sir Elijah Impey, and others, were at any time communicated to the parties charged, or to any agent for them; nor were they called upon to anfwer, nor any explanation demanded of them.

XII.

That the article, affecting private property fecured by public acts, in the faid pretended treaty, contains nothing more than a general permiffion, given by the faid Warren Haftings, for confifcating fuch Jaghires or landed eftates, with the modifications therein contained, "as *he* (the Nabob may find neceffary;" but does not directly point at, or exprefs by name, any of the landed poffeffions of the Nabob's mother: But foon after the figning of the faid pretended treaty, (that is, on the 29th November 1781) it did appear, that a principal object thereof, was to enable the Nabob to feize upon the eftates of his female parents aforefaid, which had been guaranteed to them by the Eaft India Company. And although in the treaty, or pretended treaty, aforefaid, nothing more is purported than to give a fimple permiffion to the Nabob to feize upon and confifcate the eftates, leaving the execution or non-execution of the fame wholly to his difcretion; yet it appears by feveral letters from Nathaniel Middleton, Efquire, the Refident at the Court of Oude, of the 6th, 7th, and 9th of December 1781, that no fuch difcretion, as expreffed in the treaty, was left, or intended to be left with him the faid Nabob; but that the faid article ought practically to have a conftruction of a directly contrary tendency; that, inftead of confidering the article as originating from the Nabob, and containing a power

a power provided in his favour, which he did not poſſeſs before, the confiſcation of the Jaghires aforeſaid, was to be conſidered as a meaſure originating from the Engliſh; and to be intended for their benefit; and as ſuch, that the execution was to be forced upon him; and the execution thereof was accordingly forced upon him.

XIII.

That the Reſident, Middleton, on the Nabob's refuſal to act in contradiction to his ſworn engagement, guaranteed by the Eaſt India Company, and in the undutiful and unnatural manner required, did totally ſupercede his authority in his own dominions, conſidering himſelf as impowered ſo to act by the inſtructions of the ſaid Haſtings, although he had reaſon to apprehend a general inſurrection in conſequence thereof, and that he found it neceſſary to remove his family, " which he did not wiſh to retain there, in caſe of a " rupture with the Nabob, or the neceſſity of employ- " ing the Britiſh forces in the reduction of *his* Aumils " and troops;" and he did accordingly, as ſovereign, iſſue his own edicts and warrants, in defiance of the reſiſtance of the Nabob, in the manner by him deſcribed in the letters aforeſaid, in a letter of 6th of December 1781, that is to ſay, " *Finding the Nabob wavering in* " *his determination about the reſumption of the Jaghiers,* " I this day, in preſence of and with the Miniſter's " concurrence, ordered the neceſſary Perwannahs to " be written to the ſeveral Aumils for that purpoſe; " and it was my firm reſolution to have diſpatched " them this evening, with proper people to ſee them " punctually and implicitly carried into execution; " but before they were all tranſcribed, I received a " meſſage from the Nabob, who had been informed by " the Miniſter of the reſolution I had taken, intreating " that I would withhold the Perwannahs until to- " morrow morning, when he would attend me, and " afford me ſatisfaction on this point. As the loſs of a " few hours in the diſpatch of the Perwannahs appeared

" of

"of little moment, and as it is poſſible the Nabob, "*ſeeing that the buſineſs will at all events be done, may* "*make it an act of his own, I have conſented to indulge* "*him in his requeſt; but, be the reſult of our interview* "*whatever it may, nothing ſhall prevent the orders being* "*iſſued to-morrow, either by him or myſelf, with the con-*"*currence of the Miniſters.* Your pleaſure reſpecting "the Begums I have learnt from Sir Elijah; and the "meaſure heretofore propoſed, will ſoon follow the "reſumption of the Jaghiers. From both, or indeed "from the former alone, I have no doubt of the com-"plete liquidation of the Company's balance."—And alſo in another letter of the 7th December 1781,—"I "had the honour to addreſs you yeſterday, informing "you of the ſteps I had taken in regard to the reſump-"tion of *the Jaghiers. This morning the Vizier came to me* "*according to his agreement, but ſeemingly without any* "*intention or deſire to yield me ſatisfaction on the ſubject* "*under diſcuſſion; for, after a great deal of converſation,* "*conſiſting, on his part, of trifling evaſion and puerile ex-*"*cuſes for withholding his aſſent to the meaſure, though at* "*the ſame time profeſſing the moſt implicit ſubmiſſion to your* "*wiſhes, I found myſelf without any other reſource, than* "*the one of employing that excluſive authority with which* "*I conſider your inſtructions to veſt me: I therefore declared* "*to the Nabob, in preſence of the Miniſter and Mr. John-*"*ſon, who I deſired might bear witneſs of the converſation,* "*That I conſtrued his rejection of the meaſure propoſed, as* "*a breach of his ſolemn promiſe to you, and an unwilling-*"*neſs to yield that aſſiſtance, which was evidently in his* "*power, towards liquidating his heavy accumulating debt* "*to the Company*; and that I muſt in conſequence de-"termine, in my own juſtification, to *iſſue immediately* "*the Perwannahs*, which had only been withheld in "the ſanguine hope, that he would be prevailed upon "to *make that his own act*, which nothing but the moſt "urgent neceſſity could force *me to make mine.*—He "left me without any reply; but afterwards ſent for "his Miniſter, and authorized him to give me hopes, "that my requiſition would be complied with; on "which I expreſſed my ſatisfaction, but declared, that "I could admit of no further delays; and unleſs I re-"ceived his Excellency's formal acquieſcence before

"the evening, I ſhould then moſt aſſuredly iſſue my
"Perwannahs; which *I have accordingly done*, not hav-
"ing had any aſſurances from his Excellency, tha
"could juſtify a further ſuſpenſion. I ſhall, as ſoon
"as poſſible, inform you of the effect of the Per
"wannahs, which, in many parts, I am apprehen
"ſive it will be found neceſſary *to enforce with militar*
"*aid.* I am not, however, entirely without hope
"that the Nabob, when *he ſees the inefficacy of furthe*
"*oppoſition*, may alter his conduct, and prevent *th*
"*confuſion and diſagreeable conſequences which would be to*
"*likely to reſult from the proſecution of a meaſure of ſuc*
"*importance, without his concurrence.* His Excellenc
"talks of going ro Fyzabad, for the purpoſe hereto
"fore mentioned, in three or four days; *I wiſh he ma*
"*be ſerious in his intention*, and you may reſt aſſured,
"*ſhall ſpare no pains to keep him to it.*"——And further
in a letter of the 9th of December 1781—"I had th
"honour to addreſs you on the 7th inſtant, informin
"you of the converſation which had paſſed between th
"Nabob and me, on the ſubject of reſuming the Jag
"hiers, and the ſtep I had taken in conſequence
"*His Excellency appeared to be very much hurt and incenſe*
"*at the meaſure*; *and loudly complains of the treachery o*
"*his Miniſters*; *firſt, in giving you any hopes that ſuch*
"*meaſure would be adopted*; *and, ſecondly, in thei*
"*promiſing me their whole ſupport in carrying it through*
"*But, as I apprehended, rather than ſuffer it to appea*
"*that the point had been carried in oppoſition to his will*
"*he at* length yielded a *nominal* acquieſcence, and ha
"this day iſſued his own Perwannahs to that effect
"*declaring, however, at the ſame time, both to me and hi*
"*Miniſters, that it is an act of compulſion.* I hope to be
"able, in a few days, in conſequence of this meaſure
"to tranſmit you an account of the actual value and
"produce of the Jaghiers, oppoſed to the nomina
"amount at which they ſtand rated on the books of the
"Sircar."

XIV.

That the ſaid Warren Haſtings, inſtead of expreſſing any diſapprobation of the proceedings aforeſaid, in violation

violation of the rights ſecured by treaty with the mother and grandmother of the reigning Prince of Oude, and not leſs in violation of the ſovereign rights of the Nabob himſelf, did, by frequent meſſages, ſtimulate the ſaid Middleton to a perſeverance in, and to a rigorous execution of the ſame: And in his letter from Benares of the 25th December 1781, did "expreſs "doubts of his firmneſs and activity, and, above all, "of his recollection of his inſttuctions, and their im-"portance; and that, if he could not rely on his own "[power] and the means he poſſeſſed for performing "thoſe ſervices, he *would free him* [the ſaid Middleton] "*from the charges*, and would proceed *himſelf* to Luc-"know, and would *himſelf* undertake them."

XV.

That very doubtful credit is to be given to any letters written by the ſaid Middleton to the ſaid Warren Haſtings, when they anſwer the purpoſes which the ſaid Warren Haſtings had evidently in view, the ſaid Middleton having written to him in the following manner from Lucknow, 30th December 1781:

"My dear Sir,

"I have this day anſwered your *public* letter in the "form *you ſeem to expect*. I hope there is nothing in it "that may appear to you too pointed. *If you wiſh the* "*matter to be otherwiſe underſtood than I have taken up* "*and ſtated it, I need not ſay I ſhall be ready to conform* "*to whatever you may preſcribe, and to take upon myſelf* "*any ſhare of the blame of the (hitherto) non-performance* "*of the ſtipulations made on behalf of the Nabob.* Though "I do aſſure you, I myſelf repreſented to his Excel-"lency and the Miniſters, conceiving it to be your "deſire, that *the apparent aſſumption of the reins of his* "*government* (for in that light he undoubtedly conſi-"dered it at the firſt view) as ſpecified in the agree-"ment executed by him, was not meant to be *fully* and "*literally* enforced, but that it was neceſſary *you ſhould*

"*have something to shew on your side, as the Company were* "*deprived of a benefit without a requital; and upon the* "*faith of this assurance alone,* I believe I may safely "affirm his Excellency's objections to signing the treaty "were given up. If I have understood the matter "wrong, or misconceived your design, I am truly "sorry for it; *however, it is not too late to correct the* "*error; and I am ready to undertake, and, God willing,* "*to carry through, whatever you may, on receipt of my* "*public letter, tell me is your final resolve.*

XVI.

That it appears, but on his the said Middleton's sole authority, in a letter from the said Middleton, dated Lucknow, 2d December 1781, that the Nabob of Oude, wishing to evade the measure of resuming the Jaghires aforesaid, did send a message to him, purporting, "that if the measure proposed was intended "to procure the payment of the balance due to the "Company, he could better and more expeditiously "effect that object, by taking from his mother the "treasures of his father, which he did assert to be in "her hands, and to which he did claim a right; and "that it would be sufficient that he the said Hastings "*would hint his opinion upon it, without giving a formal* "*sanction to the measure proposed*; and that whatever his "resolution upon the subject should be, it would be "expedient to keep it secret;" adding "*the resump*"*tion of the Jaghires it is necessary to suspend till I have* "*your answer to this letter.*"

XVII.

That it does not appear that the said Hastings did write any letter in answer to the proposal of the said Middleton, but he, the said Hastings, did communicate his pleasure thereon to Sir Elijah Impey, being then at Lucknow, for his the said Middleton's information; and it does appear, that the seizing of the treasures of the mother of the Nabob, said to have been proposed

propofed as *an alternative* by the faid Nabob, to prevent the refumption of the Jaghire, was determined upon and ordered by the faid Haftings; and that the refumption of the faid Jaghires, for the ranfom of which the feizing of the treafures was propofed, was alfo directed; not one only, but both fides of the alternative being enforced upon the female parents of the Nabob aforefaid, although both the one and the other had been fecured to them by a treaty with the Eaft India Company.

XVIII.

That Sir Elijah Impey, Knight, his Majefty's Chief Juftice at Fort William, did undertake a journey of nine hundred miles, from Calcutta to Lucknow, on pretence of health and pleafure; but was in reality in the fecret of thefe and other irregular tranfactions, and employed as a channel of confidential communication therein. And the faid Warren Haftings, by prefuming to employ the faid Chief Juftice, a perfon particularly unfit for an agent, in the tranfaction of affairs, *prima facie* at leaft unjuft, violent, and oppreffive, contrary to public faith, and to the fentiments and law of nature; and which he, the faid Haftings, was fenfible "could not fail to draw obloquy on him-"felf by his participation," did difgrace the King's commiffion, and render odious to the natives of Hindoftan the juftice of the Crown of Great Britain.

XIX.

That although the faid Warren Haftings was from the beginning duly informed of the violence offered to the perfonal inclinations of the Nabob, and the "ap-"parent affumption of the reins of his government," for the purpofes aforefaid, yet, more than two years after, he did write to his private agent, Major Palmer, that is to fay, in his letter of the 6th of May 1783, "that it "has been a matter of *equal furprife and concern* to him, "to learn from the letters of the refident, that the "Nabob Vizier was with difficulty, and almoft un-"con-

" conquerable reluctance, induced to give his consent " to the attachment of the treasure deposited by his " father, under the charge of the Begum his mother, " and to the resumption of her Jaghire, and the other " Jaghires of the individuals of his family ;" which pretence of ignorance of the Nabob's inclinations, is fictitious and groundless. But whatever deception he might pretend to be in concerning the original intention of the Nabob, he was not, nor did he pretend to be, ignorant of his, the Nabob's reluctance to *proceed* in the said measures; but did admit his knowledge of the Nabob's reluctance to their full execution, and yet did justify the same as follows :

" I desire that you will inform him (the Nabob) that " in these and the other measures which were either " proposed by him, or received his concurrence in the " agreement passed between us at Chunar, I neither " had nor could have any object *but his relief, and the* " *strengthening of his connection with the Company* ; and " that I should not on any other ground have exposed " myself to *the personal obloquy which they could not fail* " *to draw upon me by my participation in them*, but left " him to regulate, by his own discretion, and by his " own means, the œconomy of his own finances, and " *with much more cause, the assertion of his domestic right.* " *In these, he had no regular claim to my interference* ; nor " had I, in my public character, any claim upon him, " but for the payment of the debt then due from him " to the Company, although I was under the strongest " obligations to require it for the relief of the pressing " exigencies of their affairs.—He will well remember " the manner in which, at a visit to him in his own " tent, I declared my acquiescence freely and without " hesitation to each proposition, which afterwards " formed the substance of a written agreement, as he " severally made them ; and he can want no other " evidence of my motives for *so chearful a consent*, nor " for the requests which I added as the means of fulfilling his purposes in them. Had he not made " these measures his own option, I should not have " proposed them ; *but having once adopted them, and*

" *made*

" *made them the conditions of a formal and sacred agree-*
" *ment, I had no longer an option to dispense with them,*
" *but was bound to the complete performance and execution*
" *of them, as points of public duty and of national faith,*
" *for which I was responsible to my King, and the Company*
" *my immediate superiors; and this was the reason for my*
" *insisting on their performance and execution, when I was*
" *told that the Nabob himself had relaxed from his original*
" *purpose, and expressed a reluctance to proceed in it.*"

XX.

That the said Warren Hastings does admit, that the Nabob *had* originally no regular claim upon him for his interference, or he any claim on the Nabob, which might entitle him to interfere in the Nabob's domestic concerns; yet, in order to justify his so invidious an interference, he did, in the letter aforesaid, give a false account of the said treaty, which (as beforementioned) did nothing more than give a *permission* to the Nabob to resume the Jaghires, *if HE should judge the same to be necessary*; and did therefore leave the right of dispensing with the whole, or any part thereof, as much in his option after the treaty, as it was before; the declared intent of the article being only to remove the restraint of the Company's guarantee forbidding such resumption, but furnishing nothing which could authorize putting that resumption into the hands and power of the Company, to be enforced at their discretion. And with regard to the other part of the spoil made by order of the said Hastings, and by him, in the letter aforesaid, stated to be made equally against the will of the Nabob; namely, that which was committed on the personal and moveable property of the female parents of the Nabob, nothing whatsoever in relation to the same is stipulated in the said pretended treaty.

XXI.

That the said Hastings, in asserting that he was bound to the acts aforesaid by public duty, and even by

by national faith, in the very inſtance in which that national faith was by him groſsly violated; and in juſtifying himſelf, by alledging that he was bound to the *complete* execution, by a reſponſibility to the company which he immediately ſerved; and by aſſerting, that theſe violent and rapacious proceedings, ſubjecting all perſons concerned in them to obloquy, would be the means of ſtrengthening the connection of the Nabob with the Britiſh United Company of Merchants trading to the Eaſt Indies; did diſgrace the authority under which he immediately acted. And that the ſaid Haſtings, in juſtifying his obligations to the ſaid acts by a reſponſibility to the *King*, namely to the King of Great Britain, did endeavour to throw upon his Majeſty, his lawful ſovereign (whoſe name and character he was bound to reſpect, and to preſerve in eſtimation with all perſons, and particularly with the ſovereign princes, the allies of his Government) the diſgrace and odium of the aforeſaid acts, in which a ſovereign prince was by him the ſaid Haſtings made an inſtrument of perfidy, wrong, and outrage, to two mothers and wives of ſovereign princes; and in which he did exhibit to all Aſia (a country remarkable for the utmoſt devotion to parental authority) the ſpectacle of a Chriſtian Governor repreſenting a Chriſtian Sovereign, compelling a ſon to become the inſtrument of ſuch violence and extortion againſt his own mother.

XXII.

That the ſaid Warren Haſtings, by repeated meſſages and injunctions, and under menaces of "a dreadful reſponſibility," did urge the reſident to a completion of this barbarous act; and well knowing that ſuch an act would probably be reſiſted, did order him the ſaid reſident to uſe the Britiſh troops under his direction for that purpoſe, and did offer the aſſiſtance of further forces, urging the execution in the following peremptory terms: "You *yourſelf* muſt be "*perſonally preſent*; you muſt not allow *any* negocia-"tion or forbearance; but muſt proſecute both ſer-"vices,

" vices, until the Begums (Princeſſes) are at the en-
" tire mercy of the Nabob."

XXIII.

That in conformity to the ſaid peremptory orders, a party of Britiſh and other troops, with the Nabob in the oſtenſible, and the Britiſh reſident in the real command, were drawn towards the city of Fyzabad, in the caſtle of which city the mother and grand-mother of the Nabob had their reſidence; and after expending two days in negociation (the particulars of which do not appear) the reſident not receiving the ſatisfaction he looked for, the town was firſt ſtormed, and afterwards the caſtle; and little or no reſiſtance being made, and no blood being ſhed on either ſide, the Britiſh troops occupied all the outer incloſure of the palace of one of the Princeſſes, and blocked up the other.

XXIV.

That this violent aſſault and forcible occupation of their houſes, and the further extremities they had to apprehend, did not prevail on the female parents of the Nabob to conſent to any ſubmiſſion, until the reſident ſent in unto them a letter from the ſaid Warren Haſtings (no copy of which appears) declaring himſelf no longer bound by the guaranty, and containing ſuch other matter as tended to remove all their hopes, which ſeemed to be centered in Britiſh faith.

XXV.

That the chief officers of their houſhold, who were their treaſurers and confidential agents, the eunuchs Jewar Ali Khân, and Behar Ali Khân, perſons of great eminence, rank, and diſtinction, who had been in high truſt and favour with the late Nabob, were ignominiouſly put into confinement under an inferior officer, in order to extort the diſcovery of the treaſures and effects committed to their care and fidelity. And the ſaid Middleton did ſoon after, that is to ſay, on the 12th of January 1782,

deliver them over for the ſame purpoſe into the cuſtody of Captain Neal Stewart, commanding the 8th regiment, by his order given in the following words: "To be kept in cloſe and ſecure confinement, admitting of no intercourſe with them, excepting by their "four menial ſervants, who are authoriſed to attend "them until further orders. You will allow them to "have any neceſſary and convenience which may be "conſiſtent with a ſtrict guard over them."

XXVI.

That in conſequence of theſe ſeverities upon herſelf, and on thoſe whom ſhe moſt regarded and truſted, the mother of the ſaid Nabob did at length conſent to the delivering up of her treaſures, and the ſame were paid to the Reſident, to the amount of the bond given by the Nabob to the Company for his balance of the year 1779-80, and the ſaid treaſure "was taken from "the moſt ſecret receſſes in the houſes of the two "eunuchs."

XXVII.

That the Nabob continuing ſtill under the preſſure of a further pretended debt to the Company for his balance of the year 1780-81, the Reſident not ſatisfied with the ſeizure of the eſtates and treaſures of his parents aforeſaid, although he the ſaid Reſident did confeſs that the Princeſs mother "had declared, *with apparent truth*, that ſhe had delivered up *the whole of* "*the property in her hands*, excepting goods, which "from the experience which he the Reſident had of "the *ſmall produce* of the ſales of a former payment "made by her in that mode, he did refuſe, and that, "in his opinion, it certainly would have amounted to "little or nothing," did proceed to extort another great ſum of money, that is to ſay, the ſum of £.120,000 ſterling, on account of the laſt pretended balance aforeſaid. In order therefore to compel the ſaid miniſters and treaſurers either to diſtreſs their principals,

cipals, by extorting whatever valuable ſubſtance might, by any poſſibility, remain concealed, or to furniſh the ſaid ſum from their own eſtates, or from their credit with their friends, did order their impriſonment to be aggravated with circumſtances of great cruelty, giving an order to Lieutenant Francis Rutledge, dated 20th of January 1782, in the following words:

"Sir,

"When this note is delivered to you by Hoolas 'Roy, I have to deſire, that you order the two pri-'ſoners to be put *in irons, keeping them from all food, '&c. agreeable to my inſtructions of yeſterday.*

(Signed)

NATH^L MIDDLETON."

XXVIII.

That by the ſaid unjuſt and rigorous proceeding, the ſaid Eunuchs were compelled to give their engagement for the payment of £.120,000 ſterling aforeſaid, to be completed within the period of one month: but after they had entered into the ſaid compulſory engagement, they were ſtill kept in cloſe impriſonment, and the mother and grand-mother of the Nabob were themſelves held under a ſtrict guard; although at the ſame time, the confiſcated eſtates were actually in the Company's poſſeſſion, and found to exceed the amount of what they were rated at in the general liſt of confiſcated eſtates; and although the aſſiſtant reſident Johnſon did confeſs "that the object of diſtreſſing the Bhow 'Begum was merely to obtain a *ready money* inſtead of 'a *dilatory payment*, and that this ready money pay-'ment, if not paid, was recoverable in the courſe of a 'few months upon the Jaghiers in his poſſeſſion; and 'that therefore it was not worth proceeding to any 'extremities beyond the one deſcribed (namely the 'confinement of the Princeſſes, and the impriſon-'ment and fettering of their miniſters) upon ſo re-'ſpectable a family."

XXIX.

That after the ſurrender of the treaſure, and the paſſing the bonds and obligations given as aforeſaid, the reſident having been ſtrictly ordered by the ſaid Warren Haſtings not to make any ſettlement whatſoever with the ſaid women of high rank, the Nabob was induced to leave the city of Fyzabad, without taking leave of his mother, or ſhewing her any mark of duty or civility. And on the ſame day the reſident left the city aforeſaid; and after his return to Lucknow, in order to pacify the ſaid Haſtings, who appeared to reſent that the Nabob was not urged to greater degrees of rigour than thoſe hitherto uſed towards his mother, he the ſaid reſident did, in his letter of the 6th February, given him an aſſurance in the following words: "I ſhall, as you direct, uſe my influence to diſſuade "his Excellency from concluding *any ſettlement* until "I have your further commands."

XXX.

That the payment of the bond laſt extorted from the eunuchs was ſoon after commenced, and the grand-mother, as well as the mother, were now compelled to deliver what they declared was *the extent of the whole* of both their poſſeſſions, including down to their *table utenſils*; which, as the reſident admitted "they had been, and were ſtill delivering, and that "no proof had yet been obtained of their having "more."

XXXI.

That bullion, jewels, and goods, to the amount of five hundred thouſand pounds and upwards were actually received by the reſident, for the uſe of the Company, before the 23d of February 1782; and there remained, on the ſaid extorted bond, no more than about £.25,000, according to the ſtatement of the eunuchs, and not above fifty thouſand according to that made by the reſident.

XXXII.

XXXII.

That in this advanced ſtate of the delivery of the extorted treaſure, the miniſters of women aforeſaid of the reigning family, did apply to Captain Leonard Jaques, under whoſe cuſtody they were confined, to be informed of the deficiency with which they ſtood charged, that they might endeavour, with the aſſiſtance of their friends, to provide for the ſame, and praying that they might, through his mediation, be freed from the hardſhips they ſuffered under their confinement; to which application they received an inſolent anſwer from the ſaid Richard Johnſon, dated February 27th, 1782, declaring, that part of what he had received in payment was in jewels and bullion; and that more than a month, the time fixed for the final payment, would elapſe before he could diſpoſe of the ſame; inſiſting upon a ready money payment, and aſſuring them, "that the day on which their agreement expired, he ſhould be indiſpenſibly obliged to recommence ſeverities upon them, until the laſt farthing was fully paid." And in order to add to their terrors and hardſhips, as well as to find ſome pretext for the further cruel and inhuman acts intended, an apparently groundleſs and injurious charge was ſuggeſted to the impriſoned miniſters aforeſaid, in the following words:—"You may alſo mention to them, that I have reaſon ſo *ſuſpect* that the commotions raiſed by Bulbudder, has not been without their *ſuggeſtion and abetment*, which, if proved upon them, in addition to the *probable* breach of their agreement, will make their ſituation *very deſperate*."

XXXIII.

That on the receipt of the ſaid letter, that is, on the 2d of March, the miniſter aforeſaid did aver, that they were not able to obtain caſh in lieu of the jewels and other effects; but that if the goods were ſold, and they releaſed from their confinement, and permitted (as they have before requeſted) to go abroad among their friends, they could ſoon make good the deficiency; and

and they did abſolutely deny "that they had any "hand in the commotions raiſed by Bulbudder, or "any kind of correſpondence with him or his ad-"herents."

XXXIV.

That the priſoners aforeſaid did ſhortly after, that is to ſay, on the 13th March, a third time renew their application to Nathaniel Middleton, Eſquire, the reſident, and did requeſt that the jewels remaining in his the ſaid reſident's hands, towards the payment of the balance remaining, "might be valued by four or "five eminent merchants, Muſſelmen and Hindûs, "upon oath," and that if any balance ſhould afterwards appear, they would upon their releaſe get their friends to advance the ſame; and they did again repreſent the hardſhip of their impriſonment, and pray for relief; and did again aſſert, that the imputations thrown upon them by the ſaid Richard Johnſon were falſe and groundleſs; "that they had no kind of intercourſe, "either directly or indirectly, with the authors of the "commotions alluded to, and that they did ſtake "their lives upon the ſmalleſt proof thereof being "brought."

XXXV.

That inſtead of their receiving any anſwer to any of the aforeſaid reaſonable propoſitions, concerning either the account ſtated, or the crimes imputed to them, or any relief from the hardſhips they ſuffered, he, the reſident Middleton, did, on the 18th of the ſaid month, give to the officer who had ſupplicated in favour of the ſaid priſoners, in order, in which he declared himſelf "under the diſagreeable neceſſity of recurring to ſe-"verities, to enforce the ſaid payment; and that this "is therefore to deſire that you immediately cauſe "them *to be put in irons*, and keep them ſo until I "ſhall arrive at Fyzabad to take further meaſures as "may be neceſſary." Which order being received at Fyzabad the day after it was given, the ſaid eunuchs were a ſecond

a ſecond time thrown into irons. And it appears that (probably in reſentment for the humane repreſentations of the ſaid Captain Jaques) the reſident did refuſe to pay for the fetters, and other contingent charges of the impriſonment of the ſaid miniſters of the Nabob's mother, when at the ſame time very liberal contingent allowances were made to other officers; and the ſaid Jaques did ſtrongly remonſtrate againſt the ſame as follows:—"You have alſo ordered me to put the "priſoners in irons—This I have done: yet, as I have "no buſineſs to purchaſe fetters, or ſupply them any "other way, it is but reaſonable that you ſhould order "me to be reimburſed. And why ſhould I add any "thing more? A late commander at this place, I "am told, draws near as many thouſands monthly "contingencies, as my trifling letter for hundreds. "However, if you cannot get my bill paid, be ſo "obliging as to return it; and give me an opportu-"nity of declaring to the world, that I believe I am "the firſt officer in the Company's ſervice who has "ſuffered in his property by an independant com-"mand."

XXXVI.

That, in about two months after the ſaid priſoners had continued in irons in the manner aforeſaid, the officer on guard, in a letter of the 18th May, did repreſent to the reſident as follows:—"The priſoners, "Baher and Jewar Ali Khân, who ſeem to be very "ſickly, have requeſted their irons might be taken "off for a few days, that they might take medicine, "and walk about the garden of the place where they "are confined. Now, as I am ſure *they will be equally* "*ſecure without their irons as with them*, I think it my "duty to inform you of this requeſt: I deſire to know "your pleaſure concerning it." To which letter the ſaid officer did receive a direct refuſal, dated 22d May 1782, in the following words:—"I am ſorry it "is not in my power to comply with your propoſal of "eaſing the priſoners for a few days of their fetters.

"Much

" Much as my humanity may be touched by their suf-
" ferings, I ſhould think it inexpedient to afford them
" any alleviation, while they perſiſt in a breach of
" their contract with me : and indeed, no indulgence
" can be ſhewn them without the authority of the Na-
" bob, who, inſtead of conſenting to moderate the
" the rigours of their ſituation, would be moſt willing
" to multiply them." Endeavouring to join the Nabob, whom he well knew to be reluctant in the whole proceeding, as a party in the cruelties, by which, through the medium of her ſervants, it was intended to coerce his mother.

XXXVII.

That the ſaid reſident, in a few days after, that is to ſay, on the 1ſt June 1782, in a letter to Major Gilpin, in command at Fyzabad, did order the account, as by himſelf ſtated, to be read to the priſoners; and, without taking any notice of their propoſal concerning the valuation of the effects, or their denial of the offences imputed to them, to demand a poſitive anſwer relative to the payment; and "upon receiving from them a
" negative or unſatisfactory reply, to inform them that
" all further negociation being at an end, they muſt
" prepare for their removal to Lucknow, where they
" would be called upon to anſwer, not only their re-
" cent breach of faith and ſolemn engagement, but
" alſo to atone for other heavy offences; the puniſh-
" ment of which, as had frequently been ſignified to
" them, it was in their power to have mitigated, by
" a proper acquittal of themſelves in this tranſaction."
By which inſinuations, concerning the pretended offences of the ſaid unhappy perſons, and the manner by which they were to atone for the ſame, and by their never having been ſpecifically and directly made, it doth appear, that the ſaid crimes and offences were charged for the purpoſe of extorting money, and not upon principles or for the ends of juſtice."

XXXVIII.

XXXVIII.

That after fome ineffectual negociations to make the prifoners pay the money, which it does not appear to have been in their power to pay, they were again threatened by the refident, in a letter to Major Gilpin, dated the 9th June 1782, in the following terms:—
"I wifh you to explain once more to the prifoners, the
"imprudence and folly of their conduct, in forcing
"me to a meafure which muft be attended with con-
"fequences fo very ferious to them; and that when
"once they are removed to Lucknow, it will not be
"in my power to fhew them mercy, or to ftand between
"them and the vengeance of the Nabob. I advife them
"to reflect ferioufly upon the unhappy fituation in
"which they will be involved in one cafe, and the re-
"lief it will be in my power to procure them in the
"other; and let them make their option."

XXXIX.

That he, the faid refident, did alfo, at the fame time, receive a letter from the Princefs mother, which letter does not appear, but to which only the following infolent return was made; that is to fay, "The letter
"from the Bhow Begum is no ways fatisfactory, and
"I cannot think of returning an anfwer to it. Indeed
"all correfpondence between the Begum and me has
"long been ftopped; and I requeft you will be pleafed
"to inform her, that I by no means wifh [illegible],
"or to maintain any friendly intercourfe with her un-
"till fhe has made good my claim upon her for the
"balance due."

XL.

That in confequence of thefe threats, and to prevent a feparation of the minifters from their miftreffes, feveral plans for the payment of the balance were offer-ed, both by the mother of the Nabob and the pri-foners, to which no other objection appears to have been made, than the length of time required by the parties to difcharge the comparatively fmall remainder

of the extorted bond; the officer on command declaring, that, conformable to his inſtructions, he could not receive the ſame.

XLI.

That the priſoners were actually removed from the city of their reſidence to the city of Lucknow, where they arrived on the 24th of June 1782, and were, on the next day, threatened with ſeverities, "to make them "diſcover where the balance might be procurable." And on the 28th, it ſhould ſeem, that the ſeverities, for the purpoſe aforeſaid, were inflicted, at leaſt upon one of them; for the aſſiſtant reſident, Johnſon, did, on that day, write to Captain Waugh, the officer commanding the guard, the letter following, full of diſgrace to the honour, juſtice, and humanity of the Britiſh nation.

"Sir,

"The Nabob having determined to *inflict corporal* "*puniſhment upon the priſoners* under your guard, this "is to deſire, that his officers, when they ſhall come, "may have free acceſs to the priſoners, and *be permit*-"*ed to do with them as they ſhall ſee proper*, only taking "care, that they leave them always under your "charge."

XLII.

That the ſaid Richard Johnſon did, further to terrify the priſoners, and to extort by all ways the remainder of the ſaid unjuſt, oppreſſive, and rapacious demand, threaten to remove them out of the Nabob's dominions into the caſtle of Churnagur, in order for ever to ſeparate them from their principals, and deprive both of their reciprocal protection and ſervices, and did order a further guard to be kept on the palace of the grandmother of the Nabob, an ally of the company, and to prevent the entrance of the the proviſions to her (which order relative to the guard only was executed) and did uſe ſundry unworthy and inſulting menaces, both with regard to herſelf and to her principal miniſters.

XLIII.

That a propofal was foon after made by the faid Princefs and her daughter-in-law, praying that their minifters aforefaid fhould be returned to Fyzabad, and offering to raife a fum of money on that condition; as alfo that they would remove from one of their palaces, whilft the Englifh were to be permitted to fearch the other. But the affiftant refident Johnfon did, inftead of a compliance with the former of thefe propofitions, fend the following orders, dated 23d July 1782, to the officer commanding the guard on the minifters aforefaid: "Some violent demands having "been made for the releafe of the prifoners, it is necef-"fary that every poffible precaution be taken for their "fecurity; you will therefore be pleafed to be very "ftrict in guarding them; and I herewith fend *another* "*pair of fetters to be added to thofe now upon the pri-*"*foners*." And in anfwer to the fecond propofition, the faid refident did reply in the following terms: "The propofal of evacuating one palace, that it may "be fearched, and then evacuating the next, upon the "fame principle, is apparently fair: but it is well "known in the firft place, that fuch bricked up, or "otherwife hidden treafure, is not to be hit upon in a "day, without a guide. I have therefore informed the "Nabob of this propofal, and if the matter is to be "reduced to a fearch, he will go himfelf with fuch "people as he may poffefs, for information, together "with the prifoners; and when in poffeffion of the "ground, by *punifhing the prifoners*, or by fuch *other* "*means as he may find moft effectual* to forward a fuccefs-"ful fearch upon the fpot, he will avail himfelf of the "propofal made by the Bhow Begum."

XLIV.

That, probably from the Nabob's known and avowed reluctance to lend himfelf to the perpetration of the oppreffive and iniquitous proceedings of the reprefentative of the Britifh government, the fcandalous plan aforefaid was not carried into execution; And all the

 rigours

rigours practised upon the chief ministers of the ladies aforesaid at Lucknow, being found ineffectual, and the Princess mother having declared herself ready to deliver up every thing valuable in her possession, which Baher Ally Khân, one of her confidential ministers aforesaid, only could come at, the said change of prison was agreed to:—but not until the Nabob's mother aforesaid, had engaged to pay, for the said change of prison, a sum of ten thousand pounds (one half of which was paid on the return of the Eunuchs) and that "she would ransack the *Zenana* (women's apartments) "for Kincobs, muslins, cloaths, &c. &c. &c. and that she "would even allow a deduction from the annual allowance, made to her for her subsistence in lieu "of her jaghire."

XLV.

That soon after the return of the aforesaid ministers to the place of their imprisonment at Fyzabad, bonds for the five thousand pounds aforesaid, and goods, estimated, according to the valuation of a merchant appointed to value the same, at the sum of forty thousand pounds, even allowing them to sell greatly under their value, were delivered to the commanding officer at Fyzabad; and the said commanding officer did promise to the Begum to visit Lucknow with such proposals as he hoped would secure the *small balance* of fifteen thousand pounds remaining of the unjust exaction aforesaid. But the said resident Middleton did, in his letter of the 17th of the said month, positively refuse to listen to any terms, before the final discharge of the whole of the demand; and did positively forbid the commanding officer to come to Lucknow to make the proposal aforesaid, in the terms following; "As it "is not possible to listen to *any* terms from the Begums, "before the final discharge of their conditional agreement for fifty-five lacks, your coming here upon "such an agency can only *be loss of time* in completing "the recovery of the balance of 6,55,000.; for which "your regiment was sent to Fyzabad. I must therefore desire you will leave *no efforts, gentle or harsh*, "unattempted, to complete this, before you move "from

"from Fyzabad; and I am very anxious that this "should be as soon as possible, *as I want to employ your "regiment upon other emergent service, now suffering by "every delay*."

XLVI.

That the goods aforesaid were sent to Lucknow, and disposed of in a manner unknown; and the harsh and oppressive measures aforesaid being still continued, the Begum did, about the middle of October 1782, cause to be represented to the said Middleton as follows: "That her situation was truly pitiable; her "estate sequestered; her treasury ransacked; her Co-"jahs prisoners; and her servants deserting daily from "want of subsistence. That she had solicited the loan "of money, to satisfy the demands of the company, "from every person that she imagined would or could "assist her with any; but that the opulent would not "listen to her adversity.—She had hoped that the "wardrobe sent to Lucknow might have sold for at "least one half of the company's demands on her; but "even jewellery and goods, she finds from woeful ex-"perience, lose their value the moment it is known "they come from her. That she had now solicited the "loan of cash from Almas Ally Cawn, and if she failed "in that application, she had no hopes of ever borrow-"ing a sum equal to the demand."—An hope not likely to be realized, as the said Almas Ali was then engaged for a sum of money to be raised for the company's use on the security of their confiscated lands; the restoration of which could form the only apparent security for a loan.

XLVII.

That this remonstrance produced no effect on the mind of the aforesaid resident; who being about this time removed from his residency, did, in a letter to his successor Mr. Bristow, dated 23d October 1782, in effect recommend a perseverance in the cruel and oppressive restraints aforesaid, as a certain means of recovering the

the remainder of the extorted bond; and that the lands with which the Princeſſes aforeſaid had been endowed, ſhould not be reſtored to them.

XLVIII.

That the ſaid Warren Haſtings was duly apprized of all the material circumſtances in the unjuſt proceedings aforeſaid; but did nothing to ſtop the courſe they were in; or to prevent, relieve, or mitigate the ſufferings of the parties affected by them; on the contrary, he did, in his letter of the 25th of January 1782, to the reſident Middleton, declare that the Nabob having conſented to the "reſumption of the Jaghires held by the Begums, "and to the confiſcation of their treaſures, and thereby "involved my own name and the credit of the com-"pany in a participation of both meaſures, I have a "right to *require and inſiſt on the complete execution of* "*them*; and I look to you for their execution, declaring, "that I ſhall hold you accountable for it." And it appears, that he did write to the Nabob a letter in the ſame peremptory manner; but the ſaid letter has been ſuppreſſed.

XLIX.

That he the ſaid Haſtings further did manifeſt the concern he took in, and the encouragement which he gave to the proceedings aforeſaid, by conferring honours and diſtinctions upon the miniſters of the Nabob, whom he, the Nabob, did conſider as having in the ſaid proceedings diſobeyed him and betrayed him, and as inſtruments in the diſhonour of his family, and the uſurpation of his authority.—That the ſaid miniſters did make addreſſes to the ſaid Haſtings for that purpoſe (which addreſſes the ſaid Haſtings had ſuppreſſed); and the reſident Middleton did, with his letter of the 11th of February 1782, tranſmit the ſame; and did, in the ſaid letter, acquaint the ſaid Haſtings, "that the mi-"niſters of the Nabod had incurred much odium on "account of their participation in his meaſures, and "that

" that they were not only conſidered by the party of " the diſpoſſed Jaghiredars, and the mother and uncle " of the Nabob, but *by the Nabob himſelf*, as the *depen-* " *dents of the Engliſh government, which they certainly are;* " *and it is by its declared and moſt obvious ſupport alone* " that they can maintain the authority and influence " which is indiſpenſibly neceſſary." And the ſaid Middleton did therefore recommend, " that they ſhould be " honoured with ſome teſtimony of his (the ſaid Haſt- " ings's) approbation and favour." And he the ſaid Warren Haſtings did ſend kellauts or robes of honour (the moſt public and diſtinguiſhed mode of acknowledging merit known in India) to the ſaid miniſters in teſtimony of his approbation of their late ſervices.

L.

That the ſaid Haſtings did not only give the aforeſaid public encouragement to the miniſters of the Nabob to betray and inſult their maſter and his family, in the manner aforeſaid, but when the ſaid Nabob did write ſeveral letters to him, the ſaid Haſtings, expreſſive of his diſlike of being uſed as an inſtrument in the diſhonourable acts aforeſaid, and refuſing to be further concerned therein, he, the ſaid Warren Haſtings, did not only ſuppreſs and hide the ſaid letters from the view of the Court of Directors; but in his inſtructions to the reſident Briſtow, did attribute them to Hyder Beg Khân, miniſter to the Nabob (whom in other reſpects he did before and ever ſince ſupport againſt his maſter) and did expreſs himſelf with great ſcorn and contempt of the ſaid Nabob, and with much aſperity againſt the ſaid miniſters; affirming, in proud and inſolent terms, that he had, " by an abuſe of his influence over the Nabob, " he, the Nabob himſelf, being *(as he ever muſt be in the* " *hands of ſome perſon) a mere cypher in his, (the ſaid mi-* " *niſter's) dared* to make him (the Nabob) *aſſume* a very " *unbecoming* tone of refuſal, reproach, and reſentment, " in oppoſition to *meaſures recommended by M E*, and " even to *acts done by MY authority*;" the ſaid Haſtings, in the inſtruction aforeſaid, particularizing the reſumption of the Jaghires, and the confiſcation of the treaſures

ſures that had been ſo long ſuffered to remain in the hands of his (the Nabob's) mother. But the letters of the Nabob, which in the ſaid inſtructions he refers to, as containing an oppoſition to the meaſures recommended by him, and which he aſſerts was conveyed in a very unbecoming tone of refuſal, reproach, and reſentment, he the ſaid Haſtings hath criminally withheld from the company, contrary to their orders, and to his duty; and the more, as the ſaid letters muſt tend to ſhew in what manner the ſaid Nabob did feel the indignities offered to his mother, and the manner in which the ſaid miniſters, notwithſtanding their known dependence on the Engliſh government, did expreſs their ſenſe of the part which their ſovereign was compelled to act in the ſaid diſgraceful meaſures. And in further inſtructions to him the ſaid new reſident, he did declare his approbation of the evil acts aforeſaid, as well as his reſolution of compelling the Nabob to thoſe rigorous proceedings againſt his parent, from which he had long ſhewn himſelf ſo very averſe, in the following words: "The ſeverities which have been increaſed towards the "Begums were moſt juſtly merited, by the advantage "which they took of the troubles in which I was per-"ſonally involved laſt year, to create a rebellion in the "Nabob's government, and to complete the ruin which "they thought was impending on ours." "If it is "the Nabob's deſire to forget and to forgive their paſt "offences, I have no objection to his allowing them, "in penſion, the nominal amount of their Jaghires; "but if he ſhall *ever offer* to reſtore their Jaghires "to them, or to give them any property in "land, after the warning which they have given him "by the dangerous abuſe which they formerly made "of his indulgence, you muſt remonſtrate in the "ſtrongeſt terms againſt it; *you muſt not permit ſuch an* "*event to take place*, until this government ſhall have "received information of it, and ſhall have had time "to interpoſe its influence for the prevention of it." And the ſaid Warren Haſtings, who did, in the manner aforeſaid, poſitively refuſe to admit the Nabob to reſtore to his mother and grandmother any part of their landed eſtates for their maintenance, did well know that the

the revenues of the ſaid Nabob were at that time ſo far applied to the demands of the company (by him the ſaid Warren Haſtings, aggravated beyond the whole of what they did produce) or were otherwiſe ſo far applied to the purpoſes of ſeveral of the ſervants of the company and others, the dependants of him the ſaid Haſtings, that none of the penſions or allowances aſſigned by the ſaid Nabob, in lieu of the eſtates confiſcated, were paid, or were likely to be diſcharged with that punctuality which was neceſſary even to the ſcanty ſubſiſtence of the perſons, to which they were in name and appearance applied. For,

LI.

That ſo early as the 6th of March 1782, Captain Leonard Jaques, who commanded the forces on duty for the purpoſe of diſtreſſing the ſeveral women in the palaces at Fyzabad, did complain to the reſident, Richard Johnſon, in the following words: "The women be-
" longing to the Khord Mohul (or leſſer palace) com-
" plain of their being in want of every neceſſary of life,
" and are at laſt driven to that deſperation, that they
" at night get on the top of the Zenanah, make a great
" diſturbance, and laſt night not only alarmed the cen-
" tinels poſted in the garden, but threw dirt at them;
" they theaten to throw themſelves from the walls of
" the Zenanah, and alſo to break out of it. Humani-
" ty obliges me to acquaint you of this matter, and to
" requeſt to know if you have any directions to give me
" concerning it. I alſo beg leave to acquaint you I ſent
" for Letafit Ally Khan, the cojah, who has the charge
" of them, and who informs me it is well grounded,
" that they *have ſold every thing they had, even to the*
" *cloaths from their backs, and now have no means of ſub-*
" *ſiſting.*"

LII.

That the diſtreſſes of the ſaid women grew ſo urgent on the night of the ſaid 6th of March, the day when the

letter above recited was written, that Captain Leonard Jaques aforefaid did think it neceffary to write again, on the day following, to the Britifh refident, in the following words: "I beg leave to addrefs you again concerning the women in the Khord Mohul, (the leffer palace.) Their behaviour laft night was fo furious, that there feemed the greateft probability of their proceeding to the uttermoft extremities, and that they would either *threw themfelves from the walls, or force open the doors of the Zenanah.* I have made every enquiry concerning the caufe of their complaints, and find from Lattafit Ally Khan, that they are in a *ftarving condition, having fold all their cloaths and neceffaries, and now have not wherewithal to fupport nature*; and as my inftructions are quite filent on this head, I fhould be glad to know how to proceed in cafe they were to force the doors of the Zenanah, as I fufpect it will happen, fhould no fubfiftence be very quickly fent to them."

LIII.

That in confequence of thefe reprefentations, it appears that the faid refident, Richard Johnfon, did promife that an application fhould be made to certain of the fervants of the Nabob Vizier, to provide for their fubfiftence.

LIV.

That Captain Jaques being relieved from the duty of imprifoning the women of Suja ul Dowla, the late fovereign of Oude, an ally of the company, who dwelt in the faid leffer palace, and Major Gilpin being appointed to fucceed, the fame malicious defign of deftroying the faid women, or the fame fcandalous neglect of their prefervation and fubfiftence, did ftill continue; and Major Gilpin found it neceffary to apply to the new refident Briftow, in a letter of the 30th of October 1782, as follows:

"Sir, laft night about 8 o'clock the women in the "Khord

" Khord Mohul [leſſer palace] or Zenanah, [women's
" apartment] under the charge of Latafut Ally Khan,
" aſſembled on the tops of the buildings, *crying in a*
" *moſt lamentable manner for food, that for the laſt four*
" *days they had got but a very ſcanty allowance, and that*
" *yeſterday they had got none.*

" *The melancholy cries of famine are more eaſily imagin-*
" *ed then deſcribed*; and from their repreſentation, I
" fear the Nabob's agents for that buſineſs are very in-
" attentive; I therefore think it requiſite to make you
" acquainted with the circumſtance, that his excellency
" the Nabob may cauſe his agents to be more circum-
" ſpect in their conduct towards theſe poor unhappy
" women."

LV.

That, although the Reſident Briſtow did not then think himſelf authorized to remove the guard, he did apply to the miniſter of the Nabob, who did promiſe ſome relief to the women of the late Nabob, confined in the Leſſer Palace; but apprehending, with reaſon, that the Miniſter aforeſaid might not be more ready or active in making the neceſſary proviſion for them than on former occaſions, he did render himſelf perſonally reſponſible to Major Gilpin for the repayment of any ſum equal to one thouſand pounds ſterling, which he might procure for the ſubſiſtence of the ſufferers. But whatever relief was given (the amount thereof not appearing) the ſame was ſoon exhauſted; and the number of perſons to be maintained in the ſaid Leſſer Palace being eight hundred women, the women of the late ſovereign, Sujah ul Dowla, and ſeveral of the younger children of the ſaid ſovereign prince, beſides their attendants, Major Gilpin was obliged, on the fifteenth of November following, again to addreſs the Reſident by a repreſentation, of this tenor: " Sir,
" the repeated cries of the women in the Khord Mo-
" hul Zenanah for ſubſiſtence has been truly me-
" lancholy.

" *They beg most piteously for liberty, that they may earn*
" *their daily bread by laborious servitude, or to be relieved*
" *from their misery by immediate death.*"

" In consequence of their unhappy situation, I have " this day taken the liberty of drawing on you in " favour of Ramnarian, at ten days sight, for twenty " son kerah rupees, ten thousand of which I have " paid to Cojah Latafut Ally Cawn, under whose " charge that Zenanah is."

LVI.

That, notwithstanding all the promises and reiterated engagements of the Minister Hyder Beg Khân, the ladies of the Palace aforesaid fell again into extreme distress; and the Resident did again complain to the said Minister, who was considered to be, and really and substantially was, the Minister of the Governor General Warren Hastings aforesaid, and not of the Nabob (the said Nabob being, according to the said Hastings's own account, " a cypher in his [the " said Minister's] hands)" that the funds allowed for their subsistence, were not applied to their support. But notwithstanding all these repeated complaints and remonstrances, and the constant promise of amendment on the part of his, the said Hastings's Minister, the supply was not more plentiful or more regular than before.

LVII.

That the said Resident Bristow, finding by experience the inefficacy of the courses which had been pursued with regard to the mother and grandmother of the reigning Prince of Oude; and, having received a report from Major Gilpin, informing him, that all which could be done by force, had been done; and that the only hope which remained, for realizing the remainder of the money unjustly exacted as aforesaid, lay in more lenient methods; he, the said Resident, did,

did, of his own authority, order the removal of the guard from the palaces, the troops being long and much wanted for the defence of the frontier, and other material ſervices; and did releaſe the ſaid Miniſters of the ſaid women of rank, who had been confined and put in irons, and variouſly diſtreſſed and perſecuted, as aforerecited, for near twelve months.

LVIII.

That the manner in which the ſaid inhuman acts of rapacity and violence were felt, both by the women of high rank concerned, and by all the people, ſtrongly appears in the joy expreſſed on their releaſe, which took place on the 5th of December 1782; and is ſtated, in two letters of that date from Major Gilpin to the Reſident, in the words following:

"I have to acknowledge the receipt of your letter "of the 2d inſtant, and in conſequence immediately "enlarged the priſoners Behar Ally Khân and Jewar "Ally Khân, from their confinement; a circumſtance "that gave the Begums, and the city of Fyzabad in "general, the greateſt ſatisfaction.

"In trears of joy Behar and Jewar Ally Khân ex-"preſſed their ſincere acknowledgments to the Go-"vernor General, his Excellency the Nabob Vizier, "and to you, Sir, for reſtoring them to that invalu-"able bleſſing, liberty, for which they would ever "retain the moſt grateful remembrance; and at their "requeſt I tranſmit you the encloſed letters.

"I wiſh you had been preſent at the enlargement "of the priſoners. The quivering lips, with the tears "of joy ſtealing down the poor men's cheeks, was a "ſcene truly affecting.

"If the prayers of theſe poor men will avail, you "will, at the LAST TRUMP! be tranſlated to the hap-"pieſt regions in heaven."

LIX. That

LIX.

That the Refident Briftow, knowing how acceptable the faid proceeding would be to all the people of Oude, and the neighbouring independent countries, did generoufly and politically (though not truly) in his letter to the Princefs Mother, attribute the faid relief given to herfelf, and the releafe of her Minifters, to the humanity of the faid Warren Haftings, agreeably to whofe orders he pretended to act; afferting, that he the faid Haftings "was the fpring from "whence fhe was reftored to her dignity and confe-"quence." And the account of the proceedings aforefaid were regularly tranfmitted to the faid Warren Haftings on the 30th of December 1782, with the reafons and motives thereto, and a copy of the report of the officer concerning the inutility of further force, attended with fundry documents concerning the famifhing and other treatment of the women and children of the late fovereign; but the fame appear to have made no proper impreffion on the mind of the faid Warren Haftings; for no anfwer whatfoever was given to the faid letter until the 3d of March 1783, when the faid Haftings, writing in his own character and that of the Council, did entirely pafs by all the circumftances before recited, but did give directions for the renewal of meafures of the like nature and tendency with thofe which (for feveral of the laft months at leaft of the faid proceeding) had been employed with fo little advantage to the intereft, and with fo much injury to the reputation of the Company, his mafters, in whofe name he acted; expreffing himfelf in the faid letter of the 3d of March 1783, as follows: "We defire you will inform us what means "have been taken for recovering the balance [the "pretended balance of the extorted money] due from "the Begums [Princeffes] at Fyzabad; and, if ne-"ceffary, you muft recommend it to the Vizier *to* "*enforce the moft effectual means* for that purpofe." And the Refident did, in his anfwer to the Board dated 31ft March 1783, on this peremptory order, again

again detail the particulars aforesaid to the said Warren Hastings, referring him to his former correspondence, stating the utter impossibility of proceeding further by force, and mentioning certain other disgraceful and oppressive circumstances; and in particular, That the Company did not, in plundering the mother of the reigning Prince of her wearing apparel and beasts of carriage, receive a value in the least equal to the loss she suffered; the elephants having no buyer but the Nabob, and the cloaths, which had last been delivered to Middleton at a valuation of thirty thousand pounds, were so damaged by ill keeping, in warehouses, that they could not be sold, even for six months credit, at much more than about eight thousand pounds, by which a loss in a single article was incurred of twenty-two thousand pounds out of the fifty, for the recovery of which (supposing it had been a just debt) such rigorous means had been employed, after having actually received upwards of five hundred thousand pounds, in value to the Company; and extorted much more, in loss to the suffering individuals. And the said Bristow being well acquainted with the unmerciful temper of the said Hastings, in order to leave no means untried to appease him, not contented with the letter to the Governor General and Council, did on the same day write another letter *to him particularly*, in which he did urge several arguments, the necessity of using of which to the said Hastings did reflect great dishonour on this nation, and on the Christian religion therein professed; viz. "That he had experienced great embarrassment in "treating with her [the mother of the reigning "Prince] for, as the mother of the Vizier, the people "look up to her with respect; and any hard measures "practised against women of high rank, create discontent, and affect our national character." And the said Resident, after condemning very unjustly her conduct, added, "Still she is the mother of the Prince "of the country, and the religious prejudices of "*mussulmen* prevail too strongly in their minds to forget her situation.

LX. That

LX.

That the said Warren Hastings did not make any answer to the said letter. But the mother of the Prince aforesaid, as well as the mother of his father, being, in consequence of his, the said Hastings's directions, incessantly and rudely pressed by their descendant, in the name of the Company, to pay to the last farthing of the demand, they did both positively refuse to pay any part of the pretended balances aforesaid, until their landed estates were restored to them; on the security of which alone, they alledged themselves to be in a condition to borrow any money, or even to provide for the subsistence of themselves and their numerous dependants. And, in order to put some end to these differences, the Vizier did himself, about the beginning of August 1783, go to Fyzabad, and did hold divers conferences with his parents, and did consent and engage to restore to them their landed estates aforesaid; and did issue an order that they should be restored accordingly: But his Minister aforesaid, having before his eyes the peremptory orders of him the said Warren Hastings, did persuade his master to dishonour himself, in breaking his faith and engagement with his mother and the mother of his father, by first evading the execution, and afterwards totally revoking his said public and solemn act, on pretence that he had agreed to the grant "from shame, being in their "presence [the presence of his mother and grand-"mother] and that it was unavoidable at the time;"—the said Minister declaring to him, that it would be sufficient if he allowed them "money for their *ne-"cessary* expences, and that would be *doing enough*."

LXI.

That the faith given for the restoration of their landed estates being thus violated, and the money for necessary expences being as ill supplied as before, the women and children of the late sovereign, father of the reigning prince, continued exposed to frequent want of the

the common neceſſaries of life ; and being ſorely preſſed by famine, they were compelled to break through all the principles of local decorum and reſerve, which conſtitute the dignity of the female ſex in that part of the world, and after great clamour and violent attempts, for one whole day, to break the incloſure of the palace, and to force their way into the public market, in order to move the compaſſion of the people, and to beg their bred ; and they did, on the next day actually proceed to the extremity of expoſing themſelves to public view—an extremity, implying the loweſt ſtate of diſgrace and degradation ; to avoid which many women in India have laid violent hands upon themſelves— and they did proceed to the public market place, with the ſtarving children of the late ſovereign, and the brothers and ſiſters of the reigning prince ;——a minute account of the tranſaction aforeſaid was written to the Britiſh reſident at Lucknow, by the perſon appointed to convey intelligence to him from Fyzabad, in the following particulars, highly diſgraceful to the honour, juſtice and humanity of this nation.

" The ladies, their attendants and ſervants, were ſtill " as clamorous as laſt night. Letafut, the Daroga, " went to them and remonſtrated with them on the impropriety of their conduct, at the ſame time aſſuring " them that in a few days all their allowances would be " paid ; and, ſhould not that be the caſe, he would advance them ten days ſubſiſtence, upon condition that " they returned to their habitation. None of them, " however, conſented to his propoſals ; but were ſtill " intent upon making their eſcape through the Bazar (market place) and in conſequence formed " themſelves into a line, and arranging themſelves in " the following order : the children in the front; behind " them the ladies of the ſeraglio ; and behind them again their attendants : But their intentions were " fruſtrated by the oppoſition which they met from " Letafut's Sepoys.

" The next day Letafut went twice to the women, " and ufed his endeavours to make them return into " the Zenanah, promifing to advance them 10,000 ru- " pees ; which, upon the money being paid down, " they agreed to comply with ; but night coming on, " nothing tranfpired.

" On the day following, their clamours were more " violent than ufual. Letafut went to confer with " them upon the bufinefs of yefterday, offering the " fame terms. Depending upon the fidelity of his " promifes, they confented to return to their apart- " ments ; which they accordingly did except two or " three of the ladies, and moft of their attendants. " Letafut then went Hoffmund Ally Cawn, to confult " with him upon what means they fhould take. They " came to a refolution of driving them in by force, " and gave orders to their Sepoys to beat any one of " the women who fhould attempt to move forward. " The Sepoys, confequently affembled ; and each one " being provided with a bludgeon, they drove them " by dint of beating into the Zenanah. The women " feeing the treachery of the Letafut, proceeded to " throw ftones and bricks at the Sepoys, and again at- " tempted to get out; but finding that impoffible, from " the gates being fhut, they kept up a continual dif- " charge of ftones and bricks till about ten; when " finding their fituation defperate, they retired into the " Kung Mohul, and forced their way from thence in- " to the palace, and difperfed themfelves about the " houfe and garden ; after this they were defirous of " getting into the Begum's apartment, but fhe being " apprized of their intention, ordered her doors to be " fhut. In the mean time, Letafut and Hufhmund " Ally Cawn pofted fentries to fecure the gates of " the leffer Mahal. During the whole of this conflict " all the ladies and women remained expofed to the " view of the Sepoys. The Begum then fent for Le-

" tafut

" tafut and Hushmund Ally Cawn, whom she severely
" reprimanded, and insisted upon knowing the causes of
" this infamous behaviour. They pleaded in their defence
" the impossibility of helping it, as the treatment the
" women had met with had been conformable to his
" Excellency the Vizer's orders. The Begum alledg-
" ed, that even admitting that the Nabob had given
" those orders, they were by no means authorized in
" this manner to disgrace the family of Shuja Dowla;
" and should they not receive their allowance for a day
" or two, it could be of no great moment: what was
" passed was now at an end, but that the Vizier should
" certainly be acquainted with the whole of the affair,
" and that whatever he desired she should implicitly
" comply with. The Begum then sent for five of the
" children who were wounded in the affray of last
" night, and after endeavouring to sooth them, she
" sent again for Letafut and Hushmund Ally Cawn,
" and in the presence of the children expressed her dis-
" approbation of their conduct, and the improbability
" of Asuf ul Dowla's suffering the Ladies and Children
" of Shuja Dowla to be disgraced by being exposed to
" the view of the rabble. Upon which Letafut pro-
" duced the letter from the Nabob, at the same time
" representing that he was amenable only to the orders
" of his Excellency, and that whatever he ordered it
" was his duty to obey; and that had the ladies thought
" proper to have retired into their apartments quietly,
" he would not have used the means he had taken to
" compel them. The Begum again observed, that
" what had happend was now over. She then gave
" the children 400 Rupees, and dismissed them, and
" sent word by Jumrud and the other eunuchs,
" that if the ladies would peaceably retire to their a-
" partments, Latafut would supply them with 3 or
" 4,000 Rupees, for their personal expences, and re-
" commended to them not to incur any further dis-
" grace, and that if they did not think proper to act
" agreeable to her directions, they would do wrong.

"The ladies followed her advice, and about ten at
"night went back into the Zenanah. The next morn-
"ing the Begum waited upon the mother of Shuja
"Dowla and related to her all the circumſtances
"of the diſturbances. The mother of Shuja Dowla
"returned for anſwer, that after there being no
"accounts kept of crores of revenues, ſhe was not ſur-
"prized that the family of Shuja Dowla, in their en-
"deavours to procure a ſubſiſtence, ſhould be obliged
"to expoſe themſelves to the meaneſt of the people.
"After bewailing their misfortunes, and ſhedding ma-
"ny tears, the Begum took her leave and returned
"home."

That the ſaid affecting narrative, being ſent, with others of the ſame nature, on the 29th of January 1784, to the ſaid Warren Haſtings he did not order any relief in conſequence thereof, or take any ſort of notice whatſoever of the ſaid intelligence.

LXII.

That the Court of Directors did expreſs ſtrong doubts of the propriety of ſeizing the eſtates aforeſaid and did declare to him the ſaid Haſtings, "that the "only conſolation they felt on the occaſion is, that "the amount of thoſe Jaghires *for which the company were guarantees*, is to be paid *through our reſident at the court of the Vizier*; and it very materially concerns the credit of your Governor, on no account to *ſuffer such payments to be evaded.*" But the ſaid Warren Haſtings did never make the arrangment ſuppoſed in the ſaid letter to be actually made, nor did he cauſe the reſident to pay them the amount of their Jaghires, or to make any payment to them.

And the ſaid Haſtings being expreſsly ordered by the Court of Directors to reſtore to them their eſtates in caſe the charges made upon them ſhould not be found true; he, the ſaid Haſtings, did contumaciouſly and cruelly decline any compliance with the ſaid or-

"der

ders, until his journey to Lucknow, in when he did, as he ſays, "conformably to "the orders of the Court of Directors, and more to "the inclination of the Nabob Vizier, reſtore to them "their Jaghires, but with the defalcation, according "to his own account, of a *large portion* of their re-"ſpective ſhares;" pretending, without the leaſt probability, that the ſaid defalcation was a "voluntary "conceſſion on their part." But what he has left to them for their ſupport, or in what proportion to that which he has taken away, he has no where ſtated to the Court of Directors, whoſe faith he has broken, and whoſe orders he has thus eluded, whilſt he pretended to yield *ſome* obedience to them.

LXIII.

That the ſaid Warren Haſtings having made a malicious, looſe, and ill ſupported charge, backed by certain unſatisfactory affidavits, as a ground for his ſeizing on the Jaghires and the treaſures of the Vizier's mother, ſolemnly guaranteed to them; the Court of Directors did, in their letter of the 14th of February 1783, expreſs themſelves as follows concerning that meaſure;—"which the Governor General (he the ſaid "Warren Haſtings) in his letter to your Board the "23d of January 1782, has declared *he ſtrenuouſly en-"couraged and ſupported*; we hope and truſt for the "honour of the Britiſh nation, that the meaſure "appeared fully juſtified in the eyes of all Hindoſ-"tan. The Governor General has informed us, that "it can be well atteſted that the Begums (the mother "and grandmother of the Nabob aforeſaid) *principally* "excited and ſupported the late commotions; and "that they carried their inveteracy to the Engliſh na-"tion ſo far, *as to aim at our utter extirpation.*"—And the Court of Directors did further declare as follows: "That it no where appears from the papers at preſent "in

" in our poſſeſſion, that they (the mother and grand-
" mother of the Nabob of Oude) excited any com-
" motions previous to the impriſonment of Rajah
" Cheit Sing, and only armed themſelves in conſe-
" quence of that tranſaction; and as it is probable,
" that ſuch a conduct proceeded from motives of ſelf-
" defence, under an apprehenſion that they themſelves
" might likewiſe be laid under unwarrantable con-
" tributions."—And the ſaid Court of Directors, in giving their orders for the reſtoration of the Jaghires, or for the payment of an equivalent through the Reſident, did give this order for the reſtoration of their eſtates as aforeſaid, on condition that it ſhould appear from enquiry, that they were not guilty of the practices charged upon them by the ſaid Haſtings. Mr. Stables, one of the Council General, did, in execution of the ſaid conditional order, propoſe an enquiry, leading to the aſcertainment of the condition, and did enter a minute as follows: " That the Court of Di-
" rectors, by their letters of the 14th of February
" 1783, ſeem not to be ſatisfied that the diſaffection of
" the Begums to this government is ſufficiently proved
" by the evidence before them; I therefore think, that
" the late and preſent Reſident, and commanding officer
" in the Vizier's country at the time, ſhould be called
" on to collect what further information they can on
" this ſubject, in which the honour and dignity of this
" Government is ſo *materially concerned*; and that ſuch
" information may be tranſmitted to the Court of Di-
" rectors." And he did further propoſe heads and modes of enquiry, ſuitable to the doubts expreſſed by the Court of Directors. But the ſaid Warren Haſtings, who ought long before, on principles of natural juſtice, to have inſtituted a diligent enquiry in ſupport of his ſo improbable a charge, and was bound, even for his own honour, as well as for the ſatisfaction of the Court of Directors, to take a ſtrong part in the ſaid enquiry, did ſet himſelf in oppoſition to the ſame, and did

did carry with him a majority of Council against the said enquiry into the justice of the cause, or any proposition for the relief of the sufferers, asserting, "that "the reasons of the Court of Directors, if transmitted with the orders for the enquiry, will prove in effect an order for collecting evidence *to the justifica-* "*and acquittal of the Begums, and not for the investigation* "*of the truth of the charges which have been preferred a-* "*gainst them.*" That Mr. Stables did not propose, (as in the said Hastings's minute is groundlessly supposed) that the reasons of the Court of Directors should be transmitted with the orders for an equiry. But the apprehension of the said Warren Hastings, of the probable result of the enquiry proposed, did strongly indicate his sense of his own guilt, and the innocence of the parties accused by him; and if, by his construction, Mr. Stables's minute did indicate an enquiry merely for the justification of the parties by him accused, (which construction the motion did not bear) it was no more than what the obvious rules of justice would well support; his own proceedings having been *ex parte*; he having employed Sir Elijah Impey to take affidavits against the women of high rank aforesaid, not only without any enquiry made on their part, but without any communication to them, of his practice and proceeding against them; and equity did at least require that they, with his own knowledge, and by the subordinates of his own government, should be allowed a public enquiry to acquit themselves of the heavy offences with which they had been by him clandestinely charged.

LXIV.

That he the said Hastings, in order to effectually stifle the said enquiry, did enter on record a further minute, asserting, that the said enquiry would be productive "of "evils greater than any which exist in the consequences "which

" which have already taken place, *and which time has* " *almoſt obliterated*;" as alſo the following—" If I am " rightly informed, the Nabob Vizier, and the Begums " are on terms of mutual good-will. It would ill be- " come this government to interpoſe its influence, by " any act which might tend to revive their animoſities, " and a very ſlight occaſion would be ſufficient to ef- " fect it. They will inſtantly take fire on ſuch a " declaration, proclaim the judgment of the company " in their favour, demand a reparation of the acts, " which they would conſtrue wrongs, with ſuch a ſen- " tence warranting that conſtruction, and either accept " the invitation, to the proclaimed ſcandal of the Na- " bob Vizier, which *will not add to the credit of our go-* " *vernment*; or remain in his dominions, but not un- " der his authority, to add to his vexations, and the " diſorders of the country, by continual intrigues and " ſeditions. Enough already exiſts to affect his peace " and the quiet of his people. If we cannot heal, let " us not inflame the wounds *which have been inflicted*.--If " the Begums think themſelves aggrieved to ſuch a degree " as to juſtify them in an *appeal to a foreign juriſdiction*; " to appeal to it againſt a man ſtanding in the relation " of ſon and grandſon to them; *to appeal to the juſtice* " *of thoſe who have been the abettors and inſtruments of* " *their imputed wrongs*; let us at leaſt permit them to " be the judges of their own feelings, and prefer their " complaints, before we offer to redreſs them. They " will not need to be prompted. I hope I ſhall not " depart from the ſimplicity of official language, in " ſaying, the majeſty of juſtice ought to be approached " with ſolicitation, not deſcend to provoke or invite it, " much leſs to debaſe itſelf by the ſuggeſtion of wrongs, " and the promiſe of redreſs, with the denunciation of " puniſhments before trial, and even before accuſa- " tion."

LXV. That

LXV.

That the ſaid Warren Haſtings, in attempting to paſs an act of indemnity for his own crimes, and of oblivion for the ſufferings of others, ſuppoſing the latter *almoſt obliterated* by time, did not only mock and inſult over the ſufferings of the allies of the company, but did ſhew an indecent contempt of the underſtandings of the Court of Directors; becauſe his violent attempts on the property and liberty of the mother and grandmother of the ally aforeſaid, had not their firſt commencement much above two years before that time, and had been continued, without abatement or relaxation on his part, to the very time of his minute: The Nabob having, by the inſtigation of his the ſaid Haſtings's inſtrument, Hyder Beg Khan, not two months before the date of the conſultation, being obliged a ſecond time to break his faith with relation to the eſtates of his mother, in the manner herein before recited. And the ſaid Haſtings did not, and could not conceive that the clearing the mother could revive any animoſity between her and her ſon, by whom ſhe never had been accuſed. The ſaid Haſtings was alſo ſenſible, that the reſtoration of her landed eſtates, recommended by the Court of Directors, could not produce any ill effect on the mind of the ſaid ſon, as it was "with almoſt unconquerable re-"luctance he had been perſuaded to deprive her of them." And at the time of his ſubmitting to become an inſtrument in this injuſtice, did "declare" both to the Reſident and his miniſters, "that it was an act of compulſion."

S LXVI. That

LXVI.

That the ſaid Haſtings further, by inſinuating that the women in queſtion would act amiſs in appealing to a *foreign juriſdiction* againſt a ſon and a grandſon, could not forget that he himſelf, being that foreign juriſdiction (if any juriſdiction there was) did himſelf direct and order the injuries; did himſelf urge the calumnies; and did himſelf cauſe to be taken and produced the unſatisfactory evidence, by which the women in queſtion had ſuffered; and that it was againſt him the ſaid Haſtings, and not againſt their ſon, that they had reaſon to appeal. But the truth is, that the enquiry was moved for by Mr. Stables, not on the prayer or appeal of the ſufferers, but upon the ill impreſſion which the ſaid Haſtings's own conduct, merely and ſolely on his own ſtate of it, and on his own evidence in ſupport of it, had made on the Court of Directors, who were his lawful maſters, and not ſuitors in his Court. And his arrogating to himſelf and his colleagues to be a tribunal, and a tribunal, not for the purpoſe of doing juſtice, but of refuſing enquiry, was an high offence and miſdemeanor (particularly at the due obedience to the Company's orders was eluded on the inſolent pretence, "That the "majeſty of juſtice ought to be approached with ſolicitation, and that it would debaſe itſelf by the ſuggeſtion of wrongs, and the promiſe of redreſs,") in a Governor, whoſe buſineſs it is, even of himſelf and unſolicited, not only to promiſe, but to afford redreſs to all thoſe who ſhould ſuffer under the power of the Company, even if their ignorance, or want of protection, or the imbecility of their ſex, or the fear of irritating perſons in rank and ſtation, ſhould prevent them from ſeeking it by formal ſolicitation.

LXVII. That

LXVII.

That the ſaid Warren Haſtings, at the time when he pretended ignorance of all ſolicitation for juſtice on the part of the women aforeſaid, and on that pretence did refuſe the enquiry moved by his colleague Mr. Stables, had in all probability received from the Reſident Middleton, or if he had made the ſlighteſt enquiry from the ſaid Middleton, then at Calcutta, might immediately receive an account, that *they did actually ſolicit* the ſaid Reſident, through Major Gilpin, for redreſs againſt his the ſaid Haſtings's calumnious accuſation, and the falſe teſtimony by which it was ſupported; and did ſend the ſaid complaint to the Reſident Middleton, by the ſaid Gilpin, to be tranſmitted to him the ſaid Haſtings and the Council, ſo early as the 19th of October 1782; and that ſhe, the mother of the Nabob, did afterwards ſend the ſame to the Reſident Briſtow, aſſerting their innocence, and accompanying the ſame with the copies of letters (the originals of which they aſſerted were in their hands) from the chief witneſſes againſt them, Hannay and Gordon, which letters did directly overturn the charges or inſinuations in the affidavits made by them; and that inſtead of any accuſation of an attempt upon them and their parties, by the inſtigation of the mother of the Nabob, or by her miniſters, they the ſaid Hannay and Gordon did attribute their preſervation to them, and to their ſervices; and did, with ſtrong expreſſions of gratitude, both to the mother of the Nabob, and to her miniſters, fully acknowledge the ſame. Which remonſtrance of the mother of the Nabob, and the letters of the ſaid Hannay and Gordon are annexed to this charge; and the ſaid Haſtings is highly criminal for not having examined into the facts alledged in the ſaid remonſtrance.

LXVIII.

That the violent proceedings of the ſaid Warren Haſtings did tend to impreſs all the neighbouring Princes, ſome of whom were allied in blood to the oppreſſed women of rank aforeſaid, with an ill opinion of the faith, honour, and decency of the Britiſh nation; and accordingly, on the journey aforeſaid, made by the Nabob from Lucknow to Fyzabad, in which the ſaid Nabob did reſtore, in the manner before-mentioned, the confiſcated eſtates of his mother and grandmother, and did afterwards revoke his ſaid grant, it appears that the ſaid journey did cauſe a general alarm (the worſt motives obtaining the moſt eaſy credit with regard to any future proceeding, on account of the foregone acts) and excited great indignation among the ruling perſons of the adjacent country; inſomuch that Major Brown, agent to the ſaid Warren Haſtings at the Court of the King Shau Allum at Delhi, did write a remonſtrance therein to Mr. Briſtow, Reſident at Oude, as follows: —" The evening of the 7th, at a conference I had " with Mirza Shuffee Cawn, he introduced a ſubject " reſpecting the Nabob Vizier, which, however it may " be diſagreeable for you to know, and conſequently " for me to communicate, I am under a neceſſity of " laying before you. He told me had received infor- " mation from Lucknow, that, by the advice of Hy- " der Beg Cawn, the Vizier had determined to bring " his Grandmother, the widow of Sufdar Jung, from " Fyzabad to Lucknow, with a view of getting a fur- " ther ſum of money from her, by ſeizing on her eu- " nuchs, digging up the apartments of her houſe at " Fyzabad, and putting her own perſon under reſtraint. " This, he ſaid, he knew, was not an act of our govern- " ment, but the mere advice of Hyder Beg Cawn, to " which the Vizier had been induced to attend. He

" added,

"added, that the old Begum had resolved rather to put "herself to death than to submit to the disgrace intend-"ed to be put upon her; that if such a circumstance "should happen, there is *not a man of Hindostan who* "*will attribute the act to the Vizier* [*Nabob of Oude*] *but* "*every one will fix the odium on the English, who might ea-*"*sily, by the influence they so largely exercise in their own* "*concerns there*, have prevented such unnatural conduct "in the Vizier. He therefore called upon me, as the "English representative in this quarter, to inform you "of this, that you may prevent a step, which will de-"stroy all confidence in the English nation throughout "Hindostan, and excite the bitterest resentment in all "those, who by blood are connected with the house of "Sufdar Jung." He concluded by saying, "that if "the Vizier so little regarded his family and personal "honour, or his natural duty, as to wish to disgrace "his father's mother for a sum of money, let him "plunder her of all she has, but let him send her safe "up to Delhi, or Agra, and, poor as I am, I will fur-"nish subsistence for her, which she shall possess with "safety and honour, though it cannot be adequate to "her rank.—This, Sir, is a most exact detail of the "conversation (as far as related to that affair) on the "part of Mirza Shuffee Cawn. On my part I could "only say, that I imagined the affair was misrepre-"sented, and that I should write as he requested. Let "me therefore request that you will enable me to an-"swer, in a more effectual manner, any further ques-"tions on this subject.

P. S. "As Mirza Shuffee's grandfather was brother "to Sufdar Jung, there can be no doubt of what his "declaration means, and if this measure of dismissing "the old Begum, should be persisted in, I should not, "from the state of affairs and the character of the "Amir ul Omrah, be surprized at some immediate "and violent resolution being adopted by him."

LXIX. That

LXIX.

That Mirza Shuffee, mentioned in this correfpondence (who has fince been murdered) was of near kindred to the lady in queftion (grandmother to the Nabob) was refident in a province immediately adjoining to the province of Oude, and from proximity of fituation and nearnefs of connection, was likely to have any intelligence concerning his female relations from the beft authority.

LXX.

That the Refident Briftow, on receiving this letter, did apply to the faid Hyder Beg Cawn for an explanation of the Nabob's intentions, who denied that the Nabob intended more than a vifit of duty and ceremony; which, whatever his difpofitions might have been, and probably were, towards his own mother, was not altogether probable, as it was well known that he was on very bad terms with the mother of his father; and it appears, that intentions of a fimilar nature had been before manifefted, even with regard to his own mother, and therefore obtained the more eafy credit concerning the other woman of high rank aforefaid, efpecially as the evil defigns of the faid Hyder Beg were abundantly known; and that the faid Haftings, upon whom he did wholly depend, continued to recommend "the moft effectual, that, is the moft violent "means for the recovery of the fmall remains of his "extorted demand." But although it does not appear that the Refident did give credit to the faid report, yet the effect of the fame on the minds of the neighbouring Princes, did make it proper and neceffary to direct a ftrict enquiry into the fame, which was not done; and

and it does not appear that any further enquiry was made into the true motives for this projected journey to Fyzabad, nor into the proceedings of Hyder Beg Cawn, although the said Warren Hastings well knew, that all the acts of the Nabob and his principal ministers, were constantly attributed to him, and that it was known that secret agents, as well as the Company's regular agent, were employed by him at Lucknow and other places.

LXXI.

That the said Hastings, who did, on pretence of the majesty of justice, refuse to enquire into the charges made upon the female parents of the Nabob of Oude, in justification of the violence offered to them, did voluntarily and of his own accord make himself an accuser of the Resident Middleton, for the want of a literal execution of his orders, in the plans of extortion and rapine aforesaid, the criminal nature, spirit, and tendency of the said proceedings, for the defective execution of which he brought the said charge, appearing in the defence or apology made by Mr. Middleton the Resident, for his temporary and short forbearances.

" It could not, I flatter myself, be termed a long or " unwarrantable delay (two days) when the importance " of the business, and the peculiar embarrassments at- " tending the prosecution of it to its desired end, are " considered. The Nabob was *son* to the Begum, " whom we were to proceed against; a son against a " mother must at least *save appearances in his mode of pro-* " *ceeding*.—The produce of his negociation was to be " received by the Company. Receiving a benefit, ac- " companying the Nabob, withdrawing their protecti- " on,

" on, were circumſtances ſufficient to *mark the Engliſh*
" *as the principal movers in this buſineſs*. At a Court,
" where no opportunity is loſt to throw odium on us,
" ſo favourable an occaſion was not miſſed to perſuade
" the Nabob that we inſtigated him to diſhonour his
" family for our benefit. The impreſſions made by
" theſe ſuggeſtions conſtantly retarded the progreſs
" and more than once actually broke off the buſineſs;
" which rendered the utmoſt caution on my part neceſ-
" ſary, eſpecially as I had no aſſiſtance to expect from
" the miniſters, who could not openly move in the buſi-
" neſs. In the Eaſt, it is well known, that no man,
" either by himſelf or his troops, can enter the walls of
" a Zenana, ſcarcely in the caſe of acting againſt an
" open enemy, much leſs of *an ally*;—*an alley acting*
" *againſt his own mother*. The outer walls, and the Be-
" gum's agents, were all that were liable to immediate
" attack; they were dealt with, and ſucceſsfully, as the
" event proved."—He had before obſerved to Mr.
Haſtings, in his correſpondence, what Mr. Haſtings
well knew to be true, " that no farther rigour than
" that he had exerted, could be uſed againſt females
" in that country; where force could be employed, it
" was not ſpared.—That the place of concealment was
" only known to the chief eunuchs, who could not be
" drawn out of the women's apartments, where they
" had taken refuge, and from which, if an attempt
" had been made to ſtorm them, they might eſcape;
" and the ſecret of the money being known only to
" them, it was neceſſary to get their perſons into his
" hands, which could be obtained by negociation only."
—The Reſident concluded his defence by declaring his
" hope, that if the main object of his orders was ful-
" filled, he ſhould be no longer held criminal for a de-
" viation from the preciſe letter of them."

LXXII. That

LXXII.

That the ſaid Warren Haſtings did enter a reply to this anſwer, in ſupport of his criminal charge, continuing to inſiſt, " That his orders ought to have been literally " obeyed," although he did not deny that the above difficulties occurred, and the above conſequences muſt have been the reſult; and though the reports of the military officers, charged with the execution of his commiſſion, confirmed the moral impoſſibility, as well as inutility in point of profit, of forcing a ſon to greater violence and rigour againſt his mother.

LXXIII.

That the ſaid Haſtings, after all the acts aforeſaid, did preſume to declare on record, in his minute of the 23d September 1783, " That whatever may happen of the " events which he dreads in the train of affairs now " ſubſiſting, he ſhall at leaſt receive this conſolation " under them, that he uſed his utmoſt exertions to pre- " vent them; and that in the annals of the nations of " India which have been ſubjected to the Britiſh do- " minions, HE *ſhall not be remembered among their op-* " *preſſors.*" And, ſpeaking of certain alledged indignities offered to the Nabob of Oude, and certain alledged ſuſpicions of his authority, with regard to the management of his houſhold, he the ſaid Haſtings did, in the ſaid minute, endeavour to excite the ſpirit of the Britiſh nation, ſeverely animadverting on ſuch offences, making uſe of the following terms: " If there be a

" ſpark of generous virtue in the breaſts of any of my
" countrymen, who ſhall be the readers of this compi-
" lation, this letter [a letter of complaint from the Na-
" bob] ſhall ſtand for an inſtrument to awaken it to
" the call of vengeance againſt ſo flagitious an abuſe
" of authority, and reproach to the Britiſh name."

From

From her Excellency the Bhow Begum, to Mr. Briſtow, Reſident at the Vizier's Court.

THERE is no neceſſity to write to you by way of information. A detail of my ſufferings from common report, and the intelligence of thoſe who are about you, the account of them will have reached your ears: I will here relate a part of them.

After the death of Sujah Dowla, moſt of his ungrateful ſervants were conſtantly labouring to gratify their enmity; but finding, from the firm and ſincere friendſhip which ſubſiſted between me and the Engliſh, that the accompliſhment of their purpoſes was fruſtrated, they formed the deſign of occaſioning a breach in that alliance, to inſure their own ſucceſs. I muſt acquaint you, that my ſon Aſuf ul Dowla had formerly threatened to ſeize my Jaghire; but upon producing the treaty ſigned by you, and ſhewing it to Mr. Middleton, he interfered, and prevented the impending evil.—The conſpiration now framed an accuſation againſt me, of a conduct which I never had conceived even in idea, of rendering aſſiſtance to Rajah Cheit Sing. The particulars are as follow:—My ſon Aſuf ul Dowla and his Miniſters, with troops and a train of artillery, accompanied by Mr. Middleton, on the 16th of the month of Mohurum, arrived at Fyzabad, and made a demand of a crore of rupees. As my inability to pay ſo vaſt a ſum was manifeſt, I produced the treaty *you* ſigned and gave me; but to no effect, their hearts were determined upon violence. I offered my ſon Aſuf ul Dowla, whoſe will is dearer to me than all my riches, or even life itſelf, whatever money and goods I was

poſſeſſed of; but an amicable adjuſtment ſeemed not worth accepting; he demanded the delivering up the fort, and the recall of the troops that were ſtationed for the preſerving the peace of the city. To me, tumult and diſcord appeared unneceſſary. I gave up theſe points, upon which they ſeized my head eunuchs, Jewar Ally Cawn and Behar Ally Cawn, and ſent them to Mr. Middleton, after having obliged them to ſign a bond for ſixty lacks of rupees: They were thrown into priſon with fetters about their feet, and denied food and water. I, who had never, even in my dreams, experienced ſuch an oppreſſion, gave up all I had, to preſerve my honour and dignity: But this would not ſatisfy their demands; they charged me with a rupee and a half batta upon each Mohur, and on this account laid claims upon me to the amount of ſix lacks ſome thouſand rupees, and ſent Major Gilpin to exact the payment. Major Gilpin, according to orders, at firſt was importunate; but being a man of experience, and of a benevolent diſpoſition, when he was convinced of my want of means, he changed his conduct, and was willing to apply to the Shroffs and Bankers to lend me the money. But with the loſs of my Jaghires, my credit was ſunk, I could not raiſe the ſum; at laſt, feeling my helpleſs ſituation, I collected my wardrobe and furniture, to the amount of about three lacks of rupees, beſides fifty thouſand rupees which I borrowed from one place or other, and ſent Major Gilpin with it to Lucknow. My ſufferings did not terminate here. The diſturbances of Colonel Hannay and Mr. Gordon were made a pretence for ſeizing my Jaghire. The ſtate of the matter is this: When Colonel Hannay was by Mr. Haſtings ordered to march to Benares during the troubles of Cheit Sing, the Colonel, *who had plundered the whole country, was incapable of proceeding, from the union of thouſands of Zemindars, who had ſeized this favourable opportunity*; they harraſſed Mr. Gordon near Junivard, and the Zemindars of that place and Acberpore oppoſed his march from thence, till he arrived near Sanda. As the Sanda Nutta, from its overflowing, was

was difficult to crofs without a boat, Mr. Gordon fent to the Fouzdar to fupply him: He replied, the boats were all in the river, but would, according to orders, affift him as foon as poffible. Mr. Gordon's fituation would not admit of his waiting; he forded the Nutta upon his Elephant, and was hofpitably entertained and protected by the Fouzdar for fix days. In the mean time a letter was received by me from Colonel Hannay, defiring me to efcort Mr. Gordon to Fyzabad. As my friendfhip for the Englifh was always fincere, I readily complied, and fent fome companies of Nejeebs to efcort Mr. Gordon, and all his effects, to Fyzabad; where having provided for his entertainment, I effected his junction with Colonel Hannay. The letters of thanks I received from both thefe gentlemen, upon this occafion, are ftill in my poffeffion; copies of which I gave in charge to Major Gilpin, to be delivered to Mr. Middleton, that he might forward them to the Governor General. To be brief, thofe who have loaded me with accufations, are now clearly convicted of falfehood. But is it not extraordinary, that notwithftanding the juftnefs of my caufe, that nobody relieves my misfortunes? Why did Major Gilpin return without effect?

My prayers have been conftantly offered to heaven for your arrival; report has announced it; for which reafon I have taken up the pen, and requeft you will not place implicit confidence in my accufers, but, weighing in the fcale of juftice their falfehoods and my reprefentations, you will exert your influence in putting a period to the misfortunes with which I am overwhelmed.

Copy

Copy of a letter from Colonel Hannay to Jewar Ally Cawn and Bahar Ally Cawn.

I had the pleaſure to receive your friendly letter, fraught with benevolence; and whatever favours you, my friends, have been pleaſed to confer reſpecting Mr. Gordon, afforded me the greateſt pleaſure.

Placing a firm reliance on your friendſhip, I am in expectation that the aforeſaid gentleman, with his baggage, will arrive at Fyzabad in ſafety, that the ſame may oblige and afford ſatisfaction to me.

A letter from Mr. Gordon is incloſed to you—I am in expectation of its being incloſed in a cover to the Aumil of *Saunda*, to the end that the Aumil may forward it to the above-mentioned gentleman, and procure his reply. Whenever the anſwer arrives, let it be delivered to Hoolas Roy, who will forward it to me.

Always rejoice me by a few lines reſpecting your health (continue to honour me with your correſpondence.)

Copy

Copy of a letter from Colonel Hannay to Jewar and Bahar Ally Cawn.

Cawn Saib, my indulgent friends, remain under the protection of God.

Your friendly letter, fraught with kindnefs, accompanied by an honorary letter from the Begum Saib, of exalted dignity, and enclofing a letter from Mr. Gordon, fent through your Hircarahs, obliged and rejoiced me.

With refpect to what you communicate regarding your not having received an anfwer to your friendly epiftle, I became perfectly aftonifhed, as a reply was written from Mohadree; it may be owing to the danger of the road that it never arrived; not to the fmalleft neglect on my fide (or of mine.)

I now fend two letters to you; one by the Dawk people, and the fecond by one of my Hircarahs (who will prefent them to you) which you certainly will receive.

I am extremely well contented and pleafed with the friendfhip you have fhewn.

You wrote me, to remain perfectly eafy concerning Mr. Gordon.—Verily, from the kindnefs of you, my indulgent friends, my heart is quite eafy. You alfo obferved and mentioned, that as Mr. Gordon's coming with thofe attached to him (probably his fepoys and others) might be attended with difficulty, if I approved, he fhould be invited alone to Fyzabad.—My friends,

friends, I place my expectation entirely upon your friendships, and leave it to you to adopt the manner in which the said gentleman may arrive in security, without molestation at Fyzabad; but at the same time, let the plan be so managed that it may not come to the knowledge of any Zemindars; in this case, you are men of discernment. However, he is to come to Fyzabad; extend your assistance and endeavours.

It is probable that the Begum Saib, of high dignity, has received authentic intelligence from the camp at Benares. Favour me with the contents or purport.

From Mr. Gordon's letter, I understand that Mirza Imaum Baksh, whom you dispatched thither (Saunda) has, and still continues to pay, great attention to that gentleman; which affords me great pleasure.

An answer to the Begum's letter is to be presented. I also send a letter for Mr. Gordon, which please to forward.

An

An addreſs from Colonel Hannay to the Begum.

Begum Saib, of exalted dignity and generoſity, &c. whom God preſerve.

Your exalting letter, fraught with grace and benevolence, that through your unbounded generoſity and goodneſs was ſent through grace and favour, I had the honour to receive in a fortunate moment; and whatever you were pleaſed to write reſpecting Mr. Gordon, " that at this time the ſhort-ſighted and deluded ryots " had carried their diſturbances and ravages beyond all " bounds, Mr. Gordon's coming with his whole peo- " ple (or adherents) might be attended with difficulty; " and therefore, if I choſe, he ſhould be invited to " come alone." Now, as your highneſs is the beſt judge, your faithful ſervant repoſeth his moſt unbounded hopes and expectation upon your highneſs, that the aforeſaid Mr. Gordon may arrive at Fyzabad without any apprehenſion or danger. I ſhall be then extremely honoured and obliged.

Conſidering me in the light of a firm and faithful ſervant, continue to honour and exalt me by your letters.

What further can I ſay?

A copy of an addreſs from Mr. Gordon to the Begum.

Begum Saib, of exalted dignity and generoſity, whom God preſerve.

After preſenting the uſual profeſſions of ſervitude, &c. in the cuſtomary manner, my addreſs is preſented.

Your gracious letter, in anſwer to the petition of your ſervant from Goondah, exalted me. From the contents, I became unſpeakably impreſſed with the honour it conferred. May the Almighty protect that royal purity, and beſtow happineſs, increaſe of wealth, and proſperity.

The welfare of your ſervant is entirely owing to your favour and benevolence. A few days have elapſed ſince I arrived at Goondah with the Colonel Saib.

This is preſented for your highneſs's information. I cheriſh hopes from your generoſity, that conſidering me in the light of one of your ſervants, always continue to exalt and honour me with your gracious letters.

May the ſun of proſperity continually ſhine.

Copy of a letter to Mahumed Jewar Ally Cawn and Bahar Ally Cawn, from Mr. Gordon.

Sirs, my indulgent friends,

Remain under, &c. &c.

After compliments. I have the pleasure to acquaint you, that yesterday, having taken leave of you, I passed the night at Noorgunge, and next morning about ten or eleven o'clock, through your favour and benevolence, arrived safe at Goondah. Mur Aboo Buksh, Zemindar, and Mur Rustum Ally, accompanied me.

To what extent can I prolong the praises of you, my beneficent friends? May the supreme being, for this benign, compassionate, humane action, have you in his keeping, and increase your prosperity, and speedily grant me the pleasure of an interview. Until which time continue to favour me with friendly letters, and oblige me by any commands in my power to execute.

May your wishes be ever crowned with success!

My compliments, &c. &c. &c.

Copy of a letter from Colonel Hannay to Jewar Ally Cawn and Bahar Ally Cawn.

Cawn Saib, my indulgent friends,

Remain under the protection of the Supreme Being.

After compliments and signifying my earnest desire of an interview, I address you.

Your friendly letter, fraught with kindness, I had the pleasure to receive in a propitious hour, and your inexpressible kindness in sending for Mur Nassar Ally with a force to Taunda for the purpose of conducting Mr. Gordon with all his baggage, who is now arrived at Fyzabad.

This event has afforded me the most excessive pleasure and satisfaction. May the Omnipotence preserve you, my steadfast firm friends. The pen of friendship itself cannot sufficiently express your generosity and benevolence, and that of the Begum of high dignity, who so graciously has interested herself in this matter. Inclosed is an address for her, which please to forward. I hope from your friendship, until we meet, you will continue to honour me with an account of your health and welfare. What further can I write?

No. V.

Revolutions in Farruckabad.

No. I.

THAT a Prince called Ahmed Khân, was a family amongſt the moſt diſtinguiſhed in Hindoſtan, and of a nation famous through that empire for its valour in acquiring, and its policy and prudence in well governing the territories it had acquired, called the Patans or Afghauns, of which the Rohillas were a branch. The ſaid Ahmed Khân had fixed his reſidence in the city of Farruckabad; and in the firſt wars of this nation in India, the ſaid Ahmed Khân attached himſelf to the Company, againſt Sujah Dowlah, then an enemy, now a dependent on that Company. Ahmed Khân, towards the cloſe of this life, was diſpoſſeſſed of a large part of his dominions, by the prevalence of the Mahratta power; but his ſon, a minor, ſucceeded to his pretenſions, and to the remainder of his dominions. The Mahrattas were expelled by Sujah ul Dowlah, the late Vizier; who, finding a want of the ſervices of the ſon and ſucceſſor of Ahmed Khân, called Muzuffer Jung, did not only guarantee him in the poſſeſſion of what he then actually held, but engaged to reſtore all the other territories which had been occupied by the Mahrattas: and this was confirmed by repeated treaties and ſolemn oaths, by the late Vizier, and by the preſent; but neither the late nor the preſent Vizier fulfilled their engagements, or obſerved their oaths; the former having withheld what he had ſtipulated to reſtore; and the latter, not only ſubjecting him to a tribute, inſtead of reſtoring him to what his father had unjuſtly withheld; and having made a farther invaſion, by depriving him of fifteen of his diſtricts, levying the tribute of the whole on the little that remained, and did put the ſmall remains of his territory under a ſequeſtrator or collector appointed by Almas Ali Khân,

 who

who did grievoufly afflict and oppreſs the prince and territory aforeſaid.

II.

That the hardſhips of his caſe being frequently repreſented to Warren Haſtings, Eſq. he did ſuggeſt a doubt, whether " That little ought to be ſtill ſubject " to tribute," indicating, that the ſaid tribute might be hard and inequitable; but whatever its juſtice might have been, that " from the *earlieſt period* of " our connection with the preſent Nabob of Oude, " it had invariably continued a part of the funds aſ- " ſigned by his Excellency as a proviſion for the liqui- " dation of the ſeveral public demands of *this govern-* " *ment* (Calcutta) upon him; and in conſequence of " the powers the Board deemed it expedient to veſt in " the Reſident at his Court, for the collection of the " Company's aſſignments, a Sezawall (a Sequeſtrator) " has always been ſtationed to enforce, by every means " in his power, the payment of the tribute." And the ſaid tribute was, in conſequence of this arrangement, not paid to the Nabob, but to the Britiſh Reſident at Oude; and the ſame being therefore under the direction, and for the ſole uſe of the Company, and indeed the Prince himſelf wholly dependent, the repreſentatives of the ſaid Company were reſponſible for the protection of the Prince, and for the good government of the country.

III.

THAT the ſaid Warren Haſtings did, on the 22d of May 1780, repreſent to the Board of Calcutta the condition of the ſaid country in the following manner:

" The total want of all order, regularity, or *autho-* " *rity* in his government (the Farruckabad govern- " ment) to which, among *other obvious cauſes*, it may, " no doubt, be owing, that the country of Farruck- " abad is become *an almoſt entire waſte, without culti-* " *vation or inhabitants*; that the capital, which, but

" a very

" a very ſhort time ago, was diſtinguiſhed as one " of the moſt *populous and opulent* commercial cities " in Hindoſtan, at preſent exhibits nothing *but* ſcenes " of the moſt wretched poverty, deſolation, and mi- " ſery; and that the Nabob himſelf, though in poſ- " ſeſſion of a tract of country, which, with only com- " mon care, is notoriouſly capable of yielding an an- " nual revenue of between thirty and forty lacks " (three or four hundred thouſand pounds) with *no* " *military eſtabliſhment to maintain, ſcarcely commanding* " *the means of bare ſubſiſtence.*" And the ſaid Warren Haſtings, taking into conſideration the ſaid ſtate of the country and its prince, and the latter had " *preferred* " *frequent complaints*, (which complaints the ſaid " Haſtings, to that time, did not lay before the Board, " as his duty required) *of the hardſhips and indigni-* " *ties* to which he is ſubjected by the conduct of the " Sezawall (Sequeſtrator) ſtationed in the country " for the purpoſe of levying the annual tribute, " which he is bound by treaty to pay to the Soubah " of Oude ;" he, the ſaid Warren Haſtings, did de- clare himſelf " extremely deſirous, as well from mo- " tives *of common juſtice*, as *due* regard to the *rank* " *which that Chief holds among the Princes of Hindoſtan*, " of affording him relief." And he, the ſaid War- ren Haſtings, as the means of the ſaid relief, did, with the conſent of the Board, order the ſaid native Sequeſtator to be removed, and an Engliſh Reſident, a ſervant of the Company, to be appointed in his room, declaring, " he underſtood a local interference " to be *indiſpenſably neceſſary* for realizing the Vizier's " juſt demands."

IV.

THAT the ſaid native Sequeſtrator being withdrawn, and a Reſident appointed, no complaint whatever, concerning the collection of the revenue, or of any indignities offered to the Prince of the country, or op- preſſion of his ſubjects by the ſaid Reſident, was made to the Superior Council at Calcutta ; yet, the ſaid Warren Haſtings did, nevertheleſs, in a certain paper,

 purport-

purporting to be a treaty made at Chunar with the Nabob of Oude on the 19th of September 1781, at the requeſt of the ſaid Nabob, conſent to an article therein, "That no Engliſh reſident be appointed to "Farruckabad, and that the preſent be recalled;" and the ſaid Warren Haſtings, knowing that the Nabob of Oude was ill affected towards the ſaid Nabob of Farruckabad, and that he was already ſuppoſed to have oppreſſed him, did juſtify his conduct on the principles, and in the following words; "That if the "Nabob, Muzuffer Jung, *muſt* endure oppreſſion, "*(and I dare not at this time propoſe his total relief)* "it concerns the reputation of our Government to "remove our *participation in it.*" And the ſaid Warren Haſtings making, recording, and acting upon the firſt of the ſaid falſe and inhuman ſuppoſitions, moſt ſcandalous to this nation; namely, that Princes paying money wholly for the uſe of the Company, and directly to its agent, for the maintenance of Britiſh troops, by whoſe force and power the ſaid revenue was in effect collected, muſt of neceſſity endure oppreſſion, and that our Government at any time *dare* not propoſe their *total* relief, was an high offence and miſdemeanor in the ſaid Warren Haſtings; and the rather, becauſe in the ſaid treaty, as well as before and after, the ſaid Haſtings, who pretended not to dare to relieve thoſe oppreſſed by the Nabob of Oude, did aſſume a complete authority over the ſaid Nabob himſelf, and did dare to oppreſs him.

V.

THAT the ſecond principle aſſumed by the ſaid Warren Haſtings, as ground for voluntarily abandoning the protection of thoſe whom he had before undertaken to relieve, *on the ſole ſtrength of his own authority*, and in full confidence of the lawful foundation thereof, and for delivering over the perſon ſo taken into protection, under falſe names and pretended deſcriptions, to known oppreſſion; aſſerting, that the reputation of the Company was ſaved by removing this apparent participation, when the new, as well as the old

old arrangements, were truly and ſubſtantially acts of the Britiſh Government, was diſingenuous, deceitful, and uſed to cover unjuſtifiable deſigns; ſince, the ſaid Warren Haſtings well knew, that all oppreſſions exerciſed by the Nabob of Oude, were ſolely, and in this inſtance particularly, upheld by Britiſh force, and were imputed to this nation: and becauſe he himſelf, in not more than three days after the execution of this treaty, and in virtue thereof, directed the Britiſh Reſident at Oude, in orders, *to which he required his moſt implicit obedience,* " That the Miniſters (the Nabob of " Oude's Miniſters) are to chuſe *all* aumils and col-" lectors of revenue with your concurrence." And the diſhonour to the Company, in thus deceitfully concurring in oppreſſion, which they were able, and were bound, to prevent, is much aggravated by the ſaid Warren Haſtings's receiving from the perſon, to whoſe oppreſſion he had delivered the ſaid Prince, as a private gift or donation, to himſelf, and for his own uſe, a ſum of money, amounting to one hundred thouſand pounds and upwards, which might give juſt ground of ſuſpicion, that the ſaid gift from the oppreſſor to the perſon ſurrendering the perſon injured to his mercy, might have had ſome ſhare in the ſaid criminal tranſaction.

VI.

THAT the ſaid Warren Haſtings did (in the paper juſtifying the ſaid ſurrender of the Prince, put by himſelf under the protection of the Eaſt-India Company) aſſert, " That it was a fact, that the Nabob " Muzuffer Jung (the Nabob of Farruckabad) is " equally urgent with the Nabob Vizier for the re-" moval of a Reſident," without producing, as he ought to have done, any document to prove his improbable aſſertion; namely, his aſſertion, that the oppreſſed Prince did apply to his known enemy and oppreſſor, the Nabob of Oude (who, if he would, was not able to relieve him againſt the will of the Engliſh Government) rather than to that Engliſh Government which he muſt have conceived to be more impartial,

to which he had made his former complaint, and which was alone able to relieve him.

VII.

THAT the ſaid Warren Haſtings, in the ſaid writing, did farther convey an inſinuation of an ambiguous, but, on any conſtruction, of a ſuſpicious and dangerous import; viz. " It is a fact, that Mr. Shee's (the Re-
" ſident's) authority over the territory of Farrucka-
" bad, is in itſelf as much ſubverſive of that *(of the*
" *lawful rulers)* as that of the Vizier's Aumil (Collec-
" tor) ever was, and is the more *oppreſſive*, as the
" power from whence it is derived is greater." The ſaid aſſertion proceeds upon a ſuppoſition of the illegality, both of the Nabob's and the Company's government; all conſideration of the *title* to authority being therefore on that ſuppoſition put out of the queſtion, and the whole turning only upon the *exerciſe* of authority, the ſaid Haſtings's ſuggeſtion, that the oppreſſion of Government muſt be in proportion to its power, is the reſult of a falſe and dangerous principle, and ſuch as it is criminal for any perſon, entruſted with the lives and fortunes of men, to entertain, much more publicly to profeſs as a rule of action; as the ſame hath a direct tendency to make the new and powerful government of this kingdom in India, dreadful to the natives, and odious to the world.

But if the ſaid Warren Haſtings did mean thereby indirectly to inſinuate, that oppreſſions had been actually exerciſed under the Britiſh authority, he was bound to inquire into theſe oppreſſions, and to animadvert on the perſon guilty of the ſame, if proof thereof could be had; and the more, as the authority was given by *himſelf*, and the perſon exerciſing it, was by himſelf alſo named. And the ſaid Warren Haſtings did, on another occaſion, aſſert that " whether they
" were well or ill founded, he never had an opportu-
" nity to aſcertain." But it is not true, that the ſaid Haſtings did, or could, want ſuch opportunity; the fact being, that the ſaid Warren Haſtings did never cauſe any inquiry to be made into any ſuppoſed abuſes during

during the ſaid reſidency; but did give a penſion of fifteen hundred pounds a year to the ſaid late Reſident, as a compenſation to him for an injury received; and did afterwards promote the Reſident, as a faithful ſervant of the Company, (and nothing appears to ſhew him otherwiſe) to a judicial office of high truſt, thereby taking away all credit from any grounds aſſerted or inſinuated by the ſaid Haſtings, for delivering the ſaid Nabob of Farruckabad to the hand of a known enemy and oppreſſor, who had already, contrary to repeated treaties, deprived him of a large part of his territories.

VIII.

THAT on the ſaid Warren Haſtings's repreſentation of the tranſaction aforeſaid to the Court of Directors, they did heavily and juſtly cenſure the ſaid Warren Haſtings for the ſame; and did convey their cenſure to him, recommending relief to the ſuffering Prince, but without any order for ſending a new Reſident; being, as it may be ſuppoſed, prevented from taking that ſtep by the faith of the treaty made at Chunar.

IX.

THAT all the oppreſſions foreſeen by him, the ſaid Warren Haſtings, when he made the article aforeſaid in the treaty of Chunar, did actually happen; for immediately on the removal of the Britiſh Reſident, the country of Farruckabad was ſubjected to the diſcretion of a certain native manager of revenue, called Almas Ali Khân, who did impoveriſh and oppreſs the country and inſult the Prince, and did deprive him of all ſubſiſtence from his own eſtates; taking from him even his gardens and the tombs of his anceſtors, and the funds for maintaining the ſame.

X.

THAT on complaint of thoſe proceedings, the ſaid Haſtings did, of his own authority, and without communicating with his Council, direct the native collector,

collector aforesaid to be removed, and the territory of Farruckabad to be left to the sole management of its natural Prince. But in a short time, the said Hastings, pretending to receive many complaints, purporting, that the tribute to the Nabob remained wholly unpaid; and the agent to the Prince of Farruckabad, at the Presidency, and afterwards chief manager to the Prince aforesaid, having, as the said Warren Hastings saith, "had the insolence to propagate a report, that the *interference* to which his master owed the power he then enjoyed, was *purchased* through him," he, the said Hastings, did again (but as before, without the Council) withdraw his protection and interference altogether on or about the month of August 1782, and did signify his resolution, through the Resident Middleton, to the Nabob Vizier. But the said Hastings asserts, that, "the consequence of this his own second dereliction of the Prince of Farruckabad, was an aggravated *renewal of the severities* exercised against his government, and the re-appointment of a Sezawall, with powers delegated or assumed, to the *utter extinction* of the rights of Muzuffer Jung, and actually depriving him of the means of subsistence." And the said Hastings did receive, on the 16th of February 1783, from the Prince aforesaid, a bitter complaint of the same, to the following tenor:

"The miseries which have fallen upon my country, and the poverty and distress which have been heaped upon me, by the re-appointment of the Sezawall, are such, that a relation of them would, I am convinced, excite the strongest feelings of compassion in your breast. But it is impossible to relate them: on one side, my country ruined and uncultivated to a degree of desolation which exceeds all description; on the other, my domestic concerns and connections involved *in such a state of distress and horror, that even the relations, the children, and the wives of my father are starving, in want of daily bread, and are on the point of flying voluntary exiles from their country, and from each other.*"

But

But although the ſaid Haſtings did, on the 16th of February, receive and admit the juſtice of the ſaid complaint, and did not deny the urgent neceſſity of redreſs, the ſaid letter containing the following ſentence: "If there ſhould be *any delay* in your acceptance of "this propoſal, *my exiſtence, and the exiſtence of my fa-"mily, will become difficult and doubtful*;" and although he did admit the interference to be the more urgently demanded, "as the ſervices of the Engliſh troops "have been added to enforce the authority of the "Sezawall;" and although he admits alſo, that even before that time ſimilar complaints and applications had been made; yet he did withhold the ſaid letter of complaint, a minute of which he aſſerts he had, at or about that time, prepared for the relief of the ſufferer, from the Board of Council, and did not ſo much as propoſe any thing relative to the ſame for ſeven months after, viz. until the 6th of October 1783; the ſaid letter and minute being, as he aſſerts, "*with-"held*, from cauſes *not neceſſary to mention*, from pre-"ſentation;" by which means the ſaid country and Prince did ſuffer a long continuance of unneceſſary hardſhip; for which the ſaid Haſtings confeſſed it was his duty to relieve them, and that a Britiſh Reſident was neceſſary at Farruckabad, "from a ſenſe of ſub-"miſſion to the *implied* orders of the Court of Direc-"tors, in their letter of 1783, lately received, added "to the *conviction I have LONG SINCE* entertained "*of the neceſſity of ſuch an appointment, for the preſer-"vation of our national credit*, and the means of re-"ſcuing an ancient and reſpectable family from ruin."

And the ſaid Warren Haſtings did at length perform what he thought had *long ſince* been neceſſary, and in contradiction to his engagements with the Nabob, in the treaty of Chunar; and againſt his ſtrong remonſtrances, urging his humiliation from this meaſure, and the faith of the agreement, and againſt his own former declaration, that it concerned the reputation of our Government to remove our participation in the oppreſſions which he, the ſaid Haſtings, ſuppoſed the

Prince of Farruckabad muſt undergo, did once more recommend to the Council a Britiſh Reſident at Farruckabad, and the withdrawing the native Sezawall; no courſe being left to the ſaid Haſtings to take, which was not a violation of ſome engagement, and a contradiction to ſome principle of juſtice and policy by him deliberately advanced and entered on record.

XI.

THAT Mr. Willes being appointed Reſident, and having arrived at Farruckabad on the 25th of February 1784, with inſtructions to inquire minutely into the ſtate of the country and the ruling family, he, the ſaid Reſident Willes, in obedience thereto, did fully explain to him the Governor General, the ſaid Warren Haſtings, (he being then out of the Company's provinces, at Lucknow, on a delegation which reſpected this very country, as part of the dependencies of Oude) the ſituation of the province of Farruckabad; but the ſaid Warren Haſtings did not take or recommend any meaſure whatſoever for the relief thereof, in conſequence of the ſaid repreſentation, nor even communicate to the Council General the ſaid repreſentation; and it was not until the 28th of June 1783, that is, ſixteen months from the arrival of the Reſident at his ſtation, that any thing was laid before the Board relative to the regulation or relief of the diſtreſſed country aforeſaid, and that not from the ſaid Warren Haſtings, but from other members of the Council; which purpoſed neglect of duty, joined to the preceding wilful delay of ſeven months in propoſing the ſaid relief originally, cauſed near two years delay. And the ſaid Warren Haſtings is farther culpable in not communicating to the Council Board the order which he had, of his own authority, and without any powers from them, given to the ſaid Reſident Willes, and thereby prevented them, and did thereby prevent them from taking ſuch ſteps as might counteract the ill effects of the ſaid order; which order purported that the ſaid Willes was not to interfere with

with the Nabob of Farruckabad's Government, for the regulation of which he was in effect appointed to the Refidency; declaring as follows: "I rely much "on your moderation and good judgement, which I "hope will enable you to regulate your conduct to-"wards the Nabob and his *fervants* in fuch a manner, "that, *without interfering in the executive part of his go-"vernment*, you may render him effential fervice by "*your council and advice*." And this reftriction the faid Haftings did impofe, which totally fruftrated the purpofe of the Refident's miffion, though he well knew, and had frequently ftated the extreme imbecility and weaknefs of the faid Nabob of Farruckabad, and his fubjection to unworthy fervants. And in the minute of confultation, upon which he founded the appointment, did ftate the Nabob of Farruckabad "as a weak and unexperienced young man, who had "abandoned himfelf entirely to the difcretion of his "fervants; and the reftoration of his independence "was followed by a *total* breach of the engagements "he had promifed to fulfil, attended by pointed in-"ftances of contumacy and difrefpect." And in the faid minute the faid Haftings adds, (as before mentioned) his principal fervant and manager had propagated a report, that the "*interference* (namely, his "the faid Haftings's interference) to which his maf-"ter owed the power he then enjoyed, was purchafed "by him," the principal fervant aforefaid; yet he, the faid Haftings, who had affigned on record the character of the faid Nabob, and the conduct of his fervants, and the aforefaid report of his principal fervant, fo highly difhonourable to him the faid Haftings, as reafons for taking away the independency of the Nabob of Farruckabad, and the fubjecting him to the oppreffion of the Nabob of Oude's officer, Almas Ali, did again himfelf eftablifh the pretended independence of the faid Prince of Farruckabad, and the real independence of his corrupt and perfidious fervants, not againft the Nabob of Oude, but againft a Britifh Refident appointed by himfelf ("as a charac-"ter eminently qualified for fuch a charge") for the

correction of thofe evils, and for rendering the Prince aforefaid an ufeful ally to the Company, and reftoring his dominions to order and plenty.

XII.

THAT the faid Haftings did not only difable the Refident at Farruckabad by his faid prohibitory letter, but did render his very remaining at all in that ftation perfectly precarious by a fubfequent letter, rendering him liable to difmiffion by the Vizier; thereby changing the tenure of the Refident's office, and changing him from a minifter of the Company, dependent on the Governor General and Council, to a dependent upon an unrefponfible power; in this alfo acting without the Council, and by his own ufurped authority: and accordingly the faid Refident did declare, in his letter of the 24th of April 1785, "that the fituation of "the country was *more* diftrefsful than when he (the "Prince of Farruckabad) addreffed himfelf for relief "in 1783, and that he was forry to fay that his ap-"pointment at Farruckabad was of no ufe." That though the old tribute could not be paid, owing to famine and other caufes, it was increafed by a new impofition, making the whole equal the entire *grofs* produce of the revenue; that therefore there will not be "*any thing for the fubfiftence of the Nabob and family.*" And the uncles of the faid Nabob of Farruckabad, the brethren of the late Ahmed Khân, (who had rendered important fervices to the Company) and their children, in a petition to the Refident, reprefented, that foon after the fucceffion of Muzuffer Jung "their "mifery commenced. The jaghires (lands and eftates) "on which they fubfifted were difallowed. Our dif-"trefs is great; we have neither clothes nor food. "Though we felt hurt at the idea of explaining our "fituation, yet, could we have found a mode of con-"veyance, we would have proceeded to Calcutta for "redrefs. The fcarcity of grain this feafon is an ad-"ditional misfortune. With difficulty we fupport "life. From your prefence, without the provinces,

"we

"we expect relief. It is not the custom of the Com-"pany to deprive the zemindars and jaghurdars of the "means of subsistence. To your justice we look up."

This being the situation of the person and family of the Nabob of Farruckabad and his nearest relations, the state of the country and its capital prevented from all relief by the said Warren Hastings, is described in the following words by the Resident Willes:

"Almas Ali has taken the purgunnah of Marara at "a very inadequate rent, and his Aumils have seized "many adjacent villages: the purgunnahs of Cocut-"mow and Souje are constantly plundered by his peo-"ple. The collection of the gauts near Futty Ghur "have been seized by the Vizier's Cutwal, and the "zemindars in four purgunnahs are so refractory as "to have fortified themselves in their gurries, and to "refuse all payments of revenue. This is the state "of the purgunnahs; *and Farruckabad, which was* "*once the seat of great opulence and trade, is now daily* "*deserted by its inhabitants. Its walls mouldering away;* "*without police, without protection; exposed to the de-*"*predations of a banditti of two or three hundred robbers,* "*who, night after night, enter it for plunder, murdering* "*all who oppose them. The ruin that has overtaken this* "*country is not to be wondered at, when it is considered* "*that there has been no state, no stable government for many* "*years.* There has been the Nabob Vizier's autho-"rity, his ministers, the Residents at Lucknow, the "Sezawalls, the camp authority, the Nabob Mu-"zuffer Jung's, and that of twenty dewans or ad-"visers. No authority sufficiently predominant to "establish any regulations for the benefit of the coun-"try; whilst each authority has been exerted as op-"portunity offered for temporary purposes."

"Such being the present *deplorable* state of Far-"ruckabad and its districts, in the ensuing year it "will be in vain to look for revenue, if some regula-"tions, equal to the exigency, be not adopted. The

"whole

"whole country will be divided between the neigh-
"bouring powerful Aumils, the refractory zemindars
"and banditti of robbers; and the Patans, who might
"be made uſeful ſubjects, will fly from the ſcene of
"anarchy. The criſis appears now come, that either
"ſome plan of government ſhould be reſolved on, ſo
"as to form faithful ſubjects on the frontier, or the
"country be given up to its fate; and if it be aban-
"doned, there can be little doubt but that the Mahrat-
"tas will gladly ſeize on a ſtation ſo favourable to in-
"curſions into the Vizier's dominions, will attach to
"their intereſts the Hindoo zemindars, and poſſeſs
"themſelves of forts, which, with little expence, be-
"ing made formidable, would give employment per-
"haps to the whole of our force, ſhould it ever be
"neceſſary to recover them."

XIII.

THAT the Council at Calcutta, on the repreſentation aforeſaid, made by the Reſident at Farruckabad, did propoſe and record a plan for the better government of the ſaid country, but did delay the execution of the ſame until the arrangements, made by the ſaid Haſtings, with the Nabob Vizier ſhould be known; but the ſaid Haſtings, as far as in him lay, did entirely ſet aſide any plan that could be formed for that purpoſe, upon the baſis of a Britiſh Reſident at Farruckabad, by engaging with the ſaid Nabob Vizier, that no Britiſh influence ſhall be employed within his dominions; and he has engaged to that Prince, not to abandon him to any other mode of relation; and he has informed the Court of Directors, that the territories of the Nabob of Oude will be ruined, if Reſidents are ſent into them; obſerving, that "Reſidents never will "be ſent for any other purpoſes than thoſe of vengeance and corruption."

XIV.

THAT the ſaid Warren Haſtings did declare to the Court of Directors, that, in his opinion, the mode of relief

relief moſt effectual, and moſt lenient, with regard to Farruckabad, would be to nominate one of the family of the Prince to ſuperintend his affairs, and to ſecure the payments; but this plan, which appears to be moſt connected with the rights of the ruling family, whilſt it provides againſt the imbecility of the natural Lord, and is free from his objection to a Reſident, is the only one which the ſaid Haſtings never has executed, or even propoſed to execute.

XV.

THAT the ſaid Haſtings, by the agreements aforeſaid, has left the Company in ſuch an alternative, that they can neither relieve the ſaid Prince of Farruckabad from oppreſſion, without a breach of the engagements entered into by him the ſaid Haſtings with the Nabob Vizier, in the name of the Company, nor ſuffer him to remain under the ſaid oppreſſion without violating all faith, and all the rules of juſtice with regard to him. And the ſaid Haſtings hath directly made, or authoriſed, no leſs than ſix revolutions in leſs than five years, in the aforeſaid harraſſed province; by which frequent and rapid changes of government, all of them made in contradiction to all his own declared motives and reaſons, for the ſeveral acts ſucceſſively done and undone in this tranſaction, the diſtreſſes of the country, and the diſorders in its adminiſtration, have been highly aggravated; and in the ſaid irregular proceedings, and in the groſs and complicated violations of faith with all parties, the ſaid Haſtings is guilty of high crimes and miſdemeanors.

No. VI.

No. VI.

Deſtruction of the Rajah of Sahlone.

I.

THAT the late Nabob of Oude, Sujah ul Dowlah, did (on what reaſons of policy, or pretences of juſtice, is unknown) diſpoſſeſs a certain native perſon of diſtinction, or eminent Rajah, reſiding in the country of Sahlone, " the lineal deſcendant of " the moſt powerful Hindoo family in that part of " Hindoſtan," of his patrimonial eſtate, and conferred the ſame, or part of the ſame, on his (the Nabob's) mother, as a jaghire [or eſtate] for the term of her life: and the mother of the Nabob, in order to quiet the country, and to ſatisfy, in ſome meaſure, the principal and other inhabitants, did allow and pay a certain penſion to the ſaid Rajah; which penſion, on the general confiſcation of jaghires, (made at the inſtigation of the ſaid Warren Haſtings) and by the letting the lands ſo confiſcated to farmers at rack rents, was diſcontinued, and refuſed to be paid; and the diſcontinuance of the ſaid penſion, " on account of the " perſonal reſpect borne to the Rajah, (as connections " with him are ſought for, and thought *to confer ho-* " *nour*,") did cauſe an univerſal diſcontent, and violent commotions, in the diſtrict of Sahlone, and other parts of the province of Oude, with great conſequent effuſion of blood, and interruption, if not total diſcontinuance, to the collection of the revenues in thoſe parts, other than as the ſame was irregularly, and with great damage to the country, enforced by Britiſh troops.

II.

THAT Mr. Lumſdaine, the officer employed to reduce thoſe diſordered parts of the province to ſubmiſſion,

miſſion, after ſeveral advantages gained over the Rajah and his adherents, and expelling him from the country, did repreſent the utter impoſſibility of bringing it to a permanent ſettlement "merely by forcible methods; as in any of his (the Rajah's) incurſions it "would not be neceſſary to bring even a force with "him, as the zemindars [landed proprietors and free-"holders] are much attached to the Rajah, whom "they conſider as their hereditary prince, and never "fail to aſſiſt him; and that his rebellion againſt Go-"vernment is not looked on as a crime." And Mr. Lumſdaine declared it "as his clear opinion, that the "allowing the ſaid Rajah a penſion ſuitable to his rank "and influence in the country, to be the moſt certain "mode of obtaining a permanent peace;" alledging, among other cogent reaſons, "that the expence of the "force neceſſary to be employed to ſubdue the coun-"try might be ſpared, and employed elſewhere; and "that the people would return to their villages with "their cattle and effects, and of courſe Government "have ſome ſecurity for the revenue, whereas at pre-"ſent they have none:" and the repreſentation containing that prudent and temperate counſel, given by a military man of undoubted information, and perfect experience in the local circumſtances of the country, was tranſmitted by the Reſident Briſtow to the ſaid Warren Haſtings, who did wilfully and criminally omit to order any relief to the ſaid Rajah, in conformity to the general ſenſe and wiſhes of the inhabitants; a compliance with whoſe ſo reaſonable an expectation, his duty in reſtoring the tranquillity of the country, and in retrieving the honour of the Engliſh Government, did abſolutely require. But, inſtead of making ſuch proviſion, a price was ſet upon his head; and ſeveral bodies of Britiſh troops being employed to purſue him, after many ſkirmiſhes and much bloodſhed, and mutual waſte of the country, the ſaid Rajah, honoured and reſpected by the natives, was hunted down, and at length killed in a thicket.

No. VII.

No. VII.

THAT the Court of Directors of the East-India Company had laid down the following fundamental rules, for the conduct of such of the Company's business in Bengal, as could be performed by contract; and had repeatedly and strictly ordered the Governor and Council of Fort William to observe those rules: viz. That all contracts should be publicly advertised, and the most reasonable proposals accepted; that the contracts of provisions and for furnishing draught and carriage bullocks for the army, should be *annual*: and, that they should not fail to advertise for and receive proposals for those contracts *every year*.

That the said Warren Hastings, in direct disobedience to the said positive orders, and, as the Directors themselves say, *by a most deliberate breach of his duty*, did, in September 1777, accept of proposals offered by Ernest Alexander Johnson, for providing draught and carriage bullocks, and for victualing the Europeans, without advertising for proposals, as he was expressly commanded to do, and extended the contract for *three years*, which was positively ordered to be *annual*; and, notwithstanding that extension of the period, which ought at least to have been compensated by some advantage to the Company in the conditions, did conclude the said contract *upon terms less advantageous than the preceding contract, and therefore not on the lowest terms procurable*:—That the said Warren Hastings, in defiance of the judgement and lawful orders of his superiors, which in this case left him no option, declared, that *he disapproved of publishing for proposals, and that the contract was reduced too low already*; thereby avowing himself the advocate of the contractor, against whom, as representative of the Company, and guardian of their interests, he properly was party, and preferring the advantage of the Contractor to those of his own constituents and employers:—That the Court of

Directors of the East-India Company, having carefully considered the circumstances and tendency of this transaction, condemned it in the strongest terms, declaring, that they would *not permit* the contract to be continued, and that, " if the Contractor should think " himself aggrieved, and take measures in conse- " quence, by which the Company became involved " in loss or damage, they should certainly hold the " majority of the Council responsible for such loss or " damage, and proceed against them accordingly."— That the said Warren Hastings, in defiance of orders, which, the Directors say, were *plain and unequivocal*, did, in January 1777, receive from George Templer, a proposal, essentially different from the advertisement published by the Governor General and Council for receiving proposals for feeding the Company's elephant's, and did accept thereof, not only without having recourse to the proper means for ascertaining whether the said proposal was the lowest that would be offered, but with another actually before the Board, nearly 30 per cent. lower than that made by the said George Templer, to whom the said Warren Hastings granted a contract, in the terms proposed by the said Templer, for three years, and did afterwards extend the same to five years, with new and distinct conditions, accepted by the said Warren Hastings, without advertising for fresh proposals, by which the Company were very considerable losers :—On all which the Court of Directors declared, " That this waste of their pro- " perty could not be permitted ; that he the said War- " ren Hastings, had disregarded their authority, and " disobeyed their orders, in not taking the lowest " offers ;" and they ordered that the contract for elephants should be annulled : and the said Directors farther declared, that " if the contractor should recover " damages of the Company for breach of engagement, " they were determined, in such case, to institute a " suit at law against those Members of the Board " who had presumed, in direct breach of their orders " to prefer the interest of an individual to that of the " Company."—That the said Warren Hastings did, in

 the

the year 1777, conclude with --------- Forde, a contract for an armed veſſel for the pilotage of the Chittigong River, and for the defence of the coaſt and river againſt the incurſions of robbers, for the term of five years, in farther diſobedience of the Company's orders reſpecting the mode and duration of contracts, and with a conſiderable increaſe of expence to the Company:—That the farming out the defence of a country to a contractor, being wholly unprecedented, and evidently abſurd, could have no real object but to enrich the contractor at the Company's expence; ſince, either the ſervice was not dangerous, and then the eſtabliſhment was totally unneceſſary, or, if it was a dangerous ſervice, it was evidently the intereſt of the contractor to avoid ſuch danger, and not to hazard the loſs of his ſhip or men, which muſt be replaced at his own expence, and therefore that an active and faithful diſcharge of the contractor's duty was incompatible with his intereſt.

That the ſaid Warren Haſtings, in farther defiance of the Company's orders, and in breach of the eſtabliſhed rule of their ſervice, did, in the year 1777, conclude a contract with the Maſter and Deputy Maſter Attendant of the Company's Marine or Pilot ſervice, for ſupplying the ſaid marine with naval ſtores, and executing the ſaid ſervice for the term of two years, and without advertiſing for propoſals: That the uſe and expenditure of ſuch ſtores, and the direction of the pilot veſſels, is under the management, and at the diſpoſition of the Maſter Attendant, by virtue of his office: that he is officially the proper and regular check upon the perſon who furniſhes the ſtores, and bound by his duty to take care that all contracts for furniſhing ſuch ſtores are duly and faithfully executed:—That the ſaid Warren Haſtings, by uniting the ſupply and the check in the ſame hands, did not only diſobey the Company's ſpecific orders, and violate the fundamental rules and practice of the ſervice, but did overſet the only juſt and rational principle, on which this, and every other ſervice of a ſimilar

lar nature, ought to be conducted; and did not only subject the Company's interest, in point of expence, to fraud and collusion, but did thereby expose the navigation of the Bengal River to manifest Hazard and distress; considering that it is the duty of the Master Attendant to take care that the pilot vessels are constantly stationed in the roads to wait the arrival of the Company's ships, especially in tempestuous weather, and that they should be in a constant condition to keep the sea; whereas it is manifestly the interest of the contractor, in the first instance, to equip the said vessels as scantily as possible, and afterwards to expose them as little as possible to any service in which the stores, to be replaced by him, might be lost or consumed: And finally, that in June, 1779, the said contract was prolonged to the said Master Attendant, by the said Warren Hastings, for the farther period of two years from the expiration of the first, without advertising for proposals.—That it does not appear that any of the preceding contracts have been annulled, or the charges attending any of them abated, or that the Court of Directors have ever taken any measures to compel the said Warren Hastings to indemnify the Company, or to make good any part of the loss incurred by the said contracts.

That in the year 1777 the said Warren Hastings did recommend and appoint John Belli, at that time his private Secretary, to be agent for supplying the Garrison of Fort William with victualling stores: That the stores were to be purchased with money advanced by the Company; and that the said Agent was to be allowed a commission, or per centage, for his risque and trouble: That in order to ascertain what sum would be a reasonable compensation for the agent, the Governor General and Council agreed to consult some of the principal merchants of Calcutta: That the merchants, so consulted, reported their opinion, that 20 per cent. on the prime cost of the stores would be a reasonable compensation to the agent: that, nevertheless, the said Warren Hastings, supported by the vote and

and concurrence of Richard Barwell, then a member of the Supreme Council, did propofe and carry it, that 30 per cent. per annum fhould be allowed upon all ftores to be provided by the agent: that the faid Warren Haftings profeffed, that "he preferred an "agency to a contract for this fervice; becaufe, if "it were performed by contract, it muft then be ad-"vertifed, and the world would know what provi-"fion was made for the defence of the fort;" as if its being publicly known that the fort was well provided for defence, were likely to encourage an enemy to attack it.—That in Auguft 1779, in defiance of the principle laid down by himfelf for preferring an agency to a contract, the faid Warren Haftings did propofe, and carry it, that the agency fhould be *converted into a contract*, to be granted to the faid John Belli, without advertifing for propofals, and fixed for the term of five years, "pretending that he had received frequent "remonftrances from the faid agent, concerning the "heavy loffes and inconveniencies to which he was "*fubjected* by the indefinite terms of his agency," notwithftanding it appeared, by evidence produced at the Board, that, on a fupply of about 37,000 *l.* he had already drawn a commiffion of 22,000*l.* and upwards. —That the faid Warren Haftings pledged himfelf, that, *if required by the Court of Directors, the profits arifing from the agency fhould be paid into the Company's treafury, and appropriated as the Court fhould direct.*—That the Court of directors, as foon as they were advifed of the firft appointment of the faid agency, declared, that they confidered the commiffion of 20 per cent. as an ample compenfation to the agent; and did pofitively order, that, according to the engagement of the faid Warren Haftings, "the commiffion paid or "to be paid to the faid agent, fhould be reduced to "20 per cent."—That the faid John Belli did pofitively refufe to refund any part of the profits he had received, or to fubmit to a diminution of thofe which he was ftill to receive; and that the faid Warren Haftings has never made good his own voluntary and folemn engagement to the Court of Directors hereinabove

above mentioned; and as his failure to perform the ſaid engagement is a breach of faith to the Company; ſo his performance of ſuch engagement, if he had performed it, and even his offering to pledge himſelf for the agent, in the firſt inſtance, ought to be taken as preſumptive evidence of a connection between the ſaid Warren Haſtings and the ſaid agent, his private Secretary; which ought not to exiſt between a Governor, acting in behalf of the Company, and a contractor making terms with ſuch Governor for the execution of a public ſervice.

That before the expiration of the contract hereinbefore mentioned, for ſupplying the army with draught and carriage bullocks, granted by the ſaid Warren Haſtings to Erneſt Alexander Johnſon for three years, the ſaid Warren Haſtings did propoſe and carry it in Council, that a new contract ſhould be made, on a new plan, and that an offer thereof ſhould be made to Richard Johnſon, brother and executor of the ſaid contractor, without advertiſing for propoſals, for the term of *five years*:—That this offer was *voluntarily accepted* by the ſaid Richard Johnſon, who, at the ſame time, deſired, and obtained, that the new contracts ſhould be made out in the name of Charles Croftes, the Company's accountant and Sub-treaſurer at Fort William:—That the ſaid Charles Croftes offered the ſaid Richard Johnſon as one of his ſecurities for the performance of the ſaid contract, who was accepted as ſuch by the ſaid Warren Haſtings; and that, at the requeſt of the ſaid contractor, the contract for victualling the Europeans ſerving at the preſidency was added to and united with that for furniſhing bullocks, and fixed for the ſame period: that this extenſion of the periods of the ſaid contracts was not compenſated by a diminution in the charge to be incurred by the Company on that account, as it ought to have been; but, on the contrary, the charge was immoderately increaſed by the new contracts; inſomuch, that it was proved, by ſtatements and computations produced at the Board, that the increaſe on the victualling contract would,

would, in five years, amount to 40,000*l.*; and that the increase on the bullock contract, in the same period, would amount to above four hundred thousand pounds: that when this, and many other weighty objections against the terms of the said contracts were urged in Council to the said Warren Hastings, he declared, that *he should deliver a reply thereto*; but it does not appear that he did ever deliver such reply, or ever enter into a justification of any part of his conduct in this transaction. That the Act of Parliament of 1773, by which the first Governor General and Council were appointed, did expressly limit the duration of their office to the term of five years, which expired in October 1779, and that the several contracts, herein-before mentioned, were granted in September 1779, and were made to continue *five* years after the expiration of the Government by which they were granted; that by this anticipation, the discretion and judgement of the succeeding government, respecting the subject matter of such contracts, was taken away, and any correction or improvement therein rendered impracticable.—That the said Warren Hastings might have been justified by the rules and practice, or by the necessity of the public service, in binding the Government by engagements to endure one year after the expiration of his own office; but on no principles could he be justified in extending such engagements beyond the term of one year, much less on the principles he has avowed, namely, "that it was only "an act of common justice in him to secure *every* "*man connected with him*, as far as he legally could, "from the apprehension of future oppression."—That the oppression, to which such apprehension, if real, must allude, could only consist in and arise out of the obedience which he feared a future government might pay to the orders of the Court of Directors, by making all contracts *annual*, and advertising for proposals publicly and indifferently, from all persons whatever, by which it might happen that such beneficial contracts would not be constantly held by men *connected with him*, the said Warren Hastings:—that

this

this declaration made by the ſaid Warren Haſtings, combined with all the circumſtances belonging to theſe tranſactions, leaves no room to doubt that, in diſobeying the Company's orders, and betraying the truſt repoſed in him as guardian of the Company's property, his object was to purchaſe the attachment of a number of individuals, and to form a party capable of ſupporting and protecting him in return.

That with the ſame view, and on the ſame principles, it appears that exceſſive ſalaries and emoluments, at the Eaſt-India Company's charge and expence, have been laviſhed by the ſaid Warren Haſtings, to ſundry individuals, contrary to the general principles of his duty, and in direct contradiction to the poſitive orders of the Court of Directors: particularly, that whereas by a reſolution of the Court of Proprietors of the Eaſt-India Company, and by an inſtruction of the Court of Directors, it was provided and expreſsly ordered, That there ſhould be paid to the late Sir John Clavering "the ſum of ſix thouſand "pounds ſterling per annum, in full for his ſervices "as Commander in Chief, in lieu of travelling "charges, and of all other advantages and emolu- "ments whatever;" and whereas the Court of Directors poſitively ordered that the late "Sir Eyre Coote "ſhould receive the *ſame* pay, as Commander in "Chief of their forces in India, as was received by "Lieutenant-general Sir John Clavering;"—the ſaid Warren Haſtings, nevertheleſs, within a very ſhort time after Sir Eyre Coote's arrival in Bengal, did propoſe and carry it in Council, that a new eſtabliſhment ſhould be created for Sir Eyre Coote, by which an increaſe of expence would be incurred by the India Company to the amount of eighteen thouſand pounds a year and upwards, excluſive of and in addition to his ſalary of ten thouſand pounds a year, provided for him by act of Parliament as a member of the Supreme Council, and excluſive of and in addition to his ſalary of ſix thouſand pounds a year as Commander in Chief,

 appointed

appointed for him by the Company, and expreſsly fixed to that amount.

That the diſobedience and breach of truſt of which the ſaid Warren Haſtings was guilty in this tranſaction, is highly aggravated by the following circumſtances connected with it: that from the death of Sir John Clavering to the arrival of Sir Eyre Coote in Bengal, the proviſional command of the army had devolved to, and been veſted in, Brigadier-general Giles Stibbert, the eldeſt officer on that eſtabliſhment; that in this capacity, and, as the ſaid Warren Haſtings has declared, "ſtanding no way diſtinguiſhed from "the other officers of the army, but by his acciden- "tal ſucceſſion to the firſt place on the liſt," he, the ſaid Giles Stibbert, had, by the recommendation and procurement of the ſaid Warren Haſtings, received and enjoyed a ſalary and other allowances to the amount of 13,854*l.* 12*s.* per annum.—That Sir Eyre Coote, ſoon after his arrival, repreſented to the Board, that a conſiderable part of thoſe allowances, amounting to 8,220*l.* 10*s.* per annum, ought to devolve to himſelf, as Commander in Chief of the Company's Forces in India; and ſtating, that the ſaid Giles Stibbert could no longer be conſidered as Commander in Chief under the preſidency of Fort William, made a formal demand of the ſame.—That the ſaid Warren Haſtings, inſtead of reducing the allowances of the ſaid Giles Stibbert to the eſtabliſhment at which they ſtood during General Clavering's command, and for the continuance of which, after Sir Eyre Coote's arrival, there could be no pretence, continued the allowances of thirteen thouſand eight hundred and fifty-four pounds twelve ſhillings per annum to the ſaid Giles Stibbert; and, at the ſame time, in order to appeaſe and ſatisfy the demand of the ſaid Sir Eyre Coote, did create for him that new eſtabliſhment, herein-before ſpecified, of eighteen thouſand pounds per annum; inſomuch, that inſtead of the allowance of *ſix thouſand pounds a year, in lieu of travelling charges and of all emoluments and allowances whatſoever,* to which the pay and

and allowances of Commander in Chief were expreſsly limited by the united act of the legiſlative and executive powers of the Company, the annual charge to be borne by the Company on that account was increaſed by the ſaid Warren Haſtings to the enormous ſum of thirty-eight thouſand two hundred and ſeventeen pounds ten ſhillings ſterling.

That on the firſt of November 1779, the ſaid Warren Haſtings did move and carry it in Council, "that "the Reſident at the Vizier's Court ſhould be furniſhed with an account of all the extra-allowances "and charges of the Commander in Chief when in the "field, with orders to add the ſame to the debit of the "Vizier's account, as a part of his general ſubſidy; "the charge to commence from the day on which the "General ſhall paſs the Carumnaſſa, and to continue "till his return to the ſame line." That this additional expence, impoſed by the ſaid Warren Haſtings on the Vizier, was unjuſt in itſelf, and a breach of treaty with that Prince, the ſpecific amount of the ſubſidy to be paid by him having been fixed by a treaty, to which no addition could juſtly be made, but at the previous requiſition of the Vizier:—That the Court of Directors, in their letter of the 18th of October, 1780, did condemn and prohibit the continuation of the allowances above mentioned to Sir Eyre Coote, in the following words: "Theſe allowances appear to us in a "light ſo very extraordinary, and ſo repugnant to the "ſpirit of a reſolution of the General Court of Pro-"prietors, reſpecting the allowance made to General "Clavering, that we poſitively direct that they be diſ-"continued immediately, and no part thereof paid after "the receipt of this letter." That on the 27th of April 1781, the Governor General and Council, in obedience to the orders of the Directors, did ſignify the ſame to the Commiſſary General, as an inſtruction to him, that the extraordinary allowances to Sir Eyre Coote *ſhould be diſcontinued, and no part thereof paid after that day:* That it appears, nevertheleſs, that the ſaid extra allowances (amounting to above twenty thouſand pounds

 ſterling

ſterling a year) were continued to be charged to the Vizier, and paid to Sir Eyre Coote, in defiance of the orders of the Court of Directors; in defiance of the conſequent reſolution of the Governor General and Council; and in contradiction to the terms of the original motion, made by the ſaid Warren Haſtings, for adding thoſe allowances to the debit of the Vizier, viz. "that they ſhould continue till Sir Eyre Coote's return "to the Carumnaſſa." That Sir Eyre Coote arrived at Calcutta about the end of Auguſt 1780, and muſt have croſſed the Carumnaſſa, in his return from Oude, ſome weeks before, when the charge on the Vizier, if at any time proper, ought to have ceaſed. That it appears that the ſaid allowances were continued to be charged againſt the Vizier, and paid to Sir Eyre Coote, for three years after, even while he was ſerving in the Carnatic, and that this was done by the ſole authority and private command of the ſaid Warren Haſtings.

That the Eaſt-India Company, having thought proper to create the office of Advocate General in Bengal, and to appoint Sir John Day to that office, it was reſolved, by a General Court of Proprietors, that a ſalary of 3000l. a year ſhould be allowed to the ſaid Sir John Day, *in full conſideration of all demands and allowances whatſoever for his ſervices to the Company at the Preſidency of Fort William:*—That the ſaid Warren Haſtings, nevertheleſs, ſhortly after Sir John Day's arrival in Bengal, did increaſe the ſaid Sir John Day's ſalary and allowances to ſix thouſand pounds a year, in direct diſobedience of the reſolution of the Court of Proprietors, and of the order of the Court of Directors:—That the Directors, as ſoon as they were informed of this proceeding, declared, "that they held *themſelves* bound by "the reſolution of the General Court, and that they "could not allow it to be diſregarded by the Com-"pany's ſervants in India;" and ordered that the increaſed allowances ſhould be forthwith diſcontinued.

That the ſaid Warren Haſtings, after having firſt thought it neceſſary, in obedience to the orders of the Court

Court of Directors, to ſtop the extraordinary allowance which he had granted to Sir John Day, did afterwards reſolve that the allowance, which had been ſtruck off, ſhould be *repaid* to him, upon his ſigning an obligation to refund the amount which he might receive, in caſe the Directors ſhould confirm their former orders, already twice given:—That in this tranſaction the ſaid Warren Haſtings trifled with the authority of the Company, eluded the repeated orders of the Directors, and expoſed the Company to the riſque and uncertainty of recovering, at a diſtant period, and perhaps by a proceſs of law, a ſum of money which they had poſitively ordered him not to pay.

That, in the latter part of the year 1776, by the death of Colonel Monſon, the whole power of the government of Fort William devolved to the Governor and one member of the Council; and that from that time the Governor General and Council have generally conſiſted of an even number of perſons, in conſequence of which the caſting voice of the ſaid Warren Haſtings has uſually prevailed in the deciſion of all queſtions: —That about the end of the year 1776 the whole civil eſtabliſhment of the ſaid government did not exceed 205,399l. per annum; that in the year 1783 the ſaid civil eſtabliſhment had been increaſed to the enormous annual ſum of 927,945l.—That ſuch increaſe in the civil eſtabliſhment could not have taken place, if the ſaid Warren Haſtings, who was at the head of the Government, with the power annexed to the caſting voice, had not actively promoted the ſaid increaſe, which he had power to prevent, and which it was his duty to have prevented:—That by ſuch immoderate waſte of the property of his employers, and by ſuch ſcandalous breach of his fidelity to them, it was the intention of the ſaid Warren Haſtings to gain and ſecure the attachment and ſupport of a multitude of individuals, by whoſe united intereſt, influence, and intrigues, he hoped to be protected againſt any future inquiry into his conduct:—That it was of itſelf highly criminal in the ſaid Warren Haſtings to have ſo waſted the property of the

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Eaſt-India Company, and that the purpoſe to be obtained by ſuch waſte was a great aggravation of that crime.—That among the various inſtances of profuſion, by which the civil eſtabliſhment of Fort William was increaſed to the enormous annual ſum herein-before mentioned, it appears that a ſalt office was created, of ſix commiſſioners, whoſe annual emoluments were as follow, viz.

Preſident, or Comptroller, per annum	£. 18,480
1ſt member - - - - -	13,100
2d ditto - - - - -	11,480
3d ditto - - - - -	13,183
4th ditto - - - - -	6,257
5th ditto - - - - -	10,307
	£. 72,807

That a Board of Revenue was created by the ſaid Warren Haſtings, conſiſting of five Commiſſioners, whoſe annual emoluments were as follow, viz.

1ſt member, per annum - - -	£. 10,950
2d ditto - - - - -	9,100
3d ditto - - - - -	9,100
4th ditto - - - - -	9,100
5th ditto - - - - -	9,100
	£. 47,350

That David Anderſon, Eſq., firſt member of the ſaid Board, did not execute the duties, though he received the emoluments, of the ſaid office; having acted, for the greateſt part of the time, as Ambaſſador to Madajee Scindia, with a farther ſalary of 4280l. a year, making in all 15,230l. a year.

That the ſaid Warren Haſtings did create an office of agent victualler to the garriſon of Fort William, whoſe

whoſe profits, on an average of three years, were 15,970l. per annum:—That this agency was held by the Poſtmaſter General, who, in that capacity, received 2200l. a year from the Company, and who was actually no higher than a writer in the ſervice:—That the perſon who held theſe lucrative offices, viz. John Belli, was private ſecretary to the ſaid Warren Haſtings.

That the ſaid Warren Haſtings created a nominal office of Reſident at Goa, where the Company never had a Reſident, nor buſineſs of any kind to tranſact, and gave the ſaid nominal office to a perſon who was not a covenanted ſervant of the Company, with an allowance of 4280l. a year.

That theſe inſtances are proofs of a criminal profuſion and high breach of truſt to the India Company in the ſaid Warren Haſtings, under whoſe government, and by means of whoſe ſpecial power, derived from the effect of his caſting voice, all the ſaid waſte and profuſion did take place.

That at the end of the year 1780, when, as the Court of Directors affirm, *the Company were in the utmoſt diſtreſs for money, and almoſt every department in arrear*, and when it appears that there was a great ſcarcity and urgent want of grain at Fort St. George, the ſaid Warren Haſtings did accept of a propoſal made to him by James-Peter Auriol, then Secretary to the Council, to ſupply the preſidency of Fort St. George with rice and other articles, and did appoint the ſaid Auriol to be the agent for ſupplying *all the other* preſidencies with thoſe articles:—That the ſaid Warren Haſtings declared, that the intention of the appointment "was moſt likely to "be fulfilled by a liberal conſideration of it," and therefore allowed the ſaid Auriol a commiſſion of 15 per cent. on the whole of his diſburſements; thereby rendering it the direct intereſt of the ſaid Auriol to make his diſburſements as great as poſſible:—That the chance of capture by the enemy, or danger of the ſea,

ſea, was to be at the riſque of the India Company, and not of the ſaid Auriol :—That the ſaid Warren Haſtings declared perſonally to the ſaid Auriol, "that this "poſt was intended as a reward for his long and faith-"ful ſervices."—That the Preſident and Council of Bombay did remonſtrate againſt what they called *the enormous amount of the charges* of the rice with which they were ſupplied, which they ſtate to be nine rupees a bag at Calcutta, when they themſelves could have contracted for its delivery at Bombay, free of all riſque and charges, at five rupees and three ſixteenths per bag; and that even at Madras, where the diſtreſs and demand was greateſt, the ſupplies of grain by private traders charged to the Company, were nineteen per cent. cheaper than that ſupplied by the ſaid Auriol, excluſive of the riſque of the ſea and of capture of the enemy :—That it is ſtated by the Court of Directors, that the agent's commiſſion on a ſupply of *a ſingle year* (the ſaid commiſſion being not only charged on the prime coſt of the rice, but alſo on the freight and all other charges) would amount to pounds ſterling twenty-ſix thouſand eight hundred and ſeventy-three, and by the ſaid Auriol himſelf is admitted to amount to 18,292l. —That William Larkins, the Accomptant General at Fort William, having been ordered to examine the accounts of the ſaid agent, did report to the Governor General and Council, that he found them to be *correct in the additions and calculations*; and that then the ſaid Larkins adds the following declaration: "The agent "*being upon honour* with reſpect to the ſums charged in "his accounts for the coſt of the articles ſupplied, I "did not think myſelf authorized to require *any* "*voucher* of the ſums charged for the demurrage of "ſloops, either as to the time of detention, or the rate "of the charge, or of thoſe for the articles loſt in go-"going down the river; and on that ground I thought "myſelf equally bound to admit the ſums acknow-"ledged as received for the ſales of goods returned, "without requiring vouchers of the rates at which "they were ſold."—That in this tranſaction the ſaid Warren Haſtings has been guilty of a high breach of

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truſt and duty, in the unneceſſary expenditure of the Company's money, and in ſubjecting the Company to a profuſion of expence, at all times wholly unjuſtifiable, but particularly at the time when that expence was incurred.—That the ſaid Warren Haſtings was guilty of breach of orders, as well as breach of truſt, in not advertiſing generally for propoſals; in not *contracting* indifferently for the ſupplies with ſuch merchants as might offer to furniſh them on the loweſt terms; in giving an enormous commiſſion to an agent, and that commiſſion not confined to the prime coſt of the articles, but to be computed on the whole of his charges; in accepting of the *honour* of the ſaid agent as a ſufficient voucher for the coſt of the articles ſupplied, and for all charges whatever, on which his commiſſion was to be computed; and finally, in giving a lucrative agency for the ſupply of a diſtreſſed and ſtarving province, as a reward to a Secretary of State, whoſe labours in that capacity ought to have been rewarded by an avowed public ſalary, and not otherwiſe.—That, after the firſt year of the ſaid agency was expired, the ſaid Warren Haſtings did agree, that for the future the commiſſion to be drawn by the ſaid agent ſhould be reduced to five per cent., which the Governor General and Council then declared to be *the cuſtomary amount drawn by merchants*; but that, even in this reduction of the commiſſion, the ſaid Warren Haſtings was guilty of a deception, and did not in fact reduce the commiſſion from 15 to 5 per cent., having immediately after reſolved that he, the agent, ſhould be allowed the current intereſt of Calcutta upon all his drafts on the Treaſury from the day of their dates, until they ſhould be completely liquidated: That the legal intereſt of money in Bengal is twelve per cent. per annum, and the current intereſt from 8 to 10 per cent.

No. VIII.

THAT, before the appointment of the Governor General and Council of Fort William by act of Parliament, the allowances made by the East-India Company to the Presidents of that Government were abundantly sufficient; and that the said Presidents in general, and the said Warren Hastings particularly was restrained by a specific covenant and indenture, which he entered into with the Company, from accepting any gifts, rewards, or gratuities whatsoever, on any account or pretence whatsoever:—That, in the regulating act passed in the year 1773, which appointed the said Warren Hastings, Esquire, Governor General of Fort William in Bengal, a salary of 25,000l. a year was established for him; to which the Court of Directors added, "that he should enjoy their principal houses, with the "plate and furniture, both in town and country, *rent-"free.*" That the same law which created the office, and provided the salary of the said Warren Hastings, did expressly, and in the clearest and most comprehensive terms that could be devised, prohibit him from receiving any present, gift, or donation, in any manner, or on any account whatsoever; and that the said Warren Hastings perfectly understood the meaning, and acknowledged the binding force of this prohibition, before he accepted of the office to which it was annexed. He knew, and had declared, that *the prohibition was positive and decisive*; *that it admitted neither of refinement or misconstruction*; *and that, in his opinion, an opposition would be to incur the penalty.*

That, notwithstanding the covenants and engagements above mentioned, it appears in the recorded proceedings of the Governor General and Council of Fort William, that sundry charges have been brought against the said Warren Hastings for gifts or presents corruptly taken

taken by him before the promulgation of the act of 1773 in India, and that these charges were produced at the Council Board, in the presence of the said Warren Hastings: That, in March 1775, the late Rajah Nuncomar, a native Hindoo, of the highest cast in his religion, and of the highest rank in society, by the offices which he had held under the country government, did lay before the Council an account of various sums of money paid by him to the said Warren Hastings, amounting to 40,000l. and upwards, for offices and employments corruptly disposed of by the said Warren Hastings, and did offer and engage to prove and establish the same by sufficient evidence:—That this account is stated with a minute particularity and precision; the date of each payment, down to that of small sums, is specified; the various coins in which such payments were severally made, are distinguished; and the different persons through whose hands the money passed into those of the said Warren Hastings are named:—That such particularity on the face of such a charge, supposing it false, is favourable to the party wrongfully accused, and exposes the accuser to an instant and easy detection; for though, as the said Warren Hastings himself has observed on another occasion, "papers may "be forged, and evidences may appear in numbers, to "attest them, yet it must always be an *easy* matter to "detect the falsity of any forged paper produced, by "examining the witnesses separately, and subjecting "them to a subsequent cross examination; in which "case, if false, they will not be able to persevere in one "regular consistent story."

Whereas, if no advantage be taken of such particularity in the charge to detect the falsehood thereof, and if no attempt to disprove it, and no defence whatever be made, a presumption justly and reasonably arises in favour of the truth of such charge:—That the said Warren Hastings, instead of offering any thing in his defence, declared, that *he would not suffer Nuncomar to appear before the Board as his accuser*:—That he attempted to indict his said accuser for a conspiracy, in

which he failed; and that the ſaid Rajah Nuncomar was ſoon after, and while his charge againſt the ſaid Warren Haſtings was depending before the Council, indicted upon an Engliſh penal ſtatute, which does not extend even to Scotland, before the Supreme Court of Judicature, for an offence ſaid to have been committed ſeveral years before, and not capital by the laws of India, and was condemned and executed:—That the evidence of this man, not having been encountered at the time, when it might and ought to have been, by the ſaid Warren Haſtings, remains juſtly in force againſt him, and is not abated by the capital puniſhment of the ſaid Nuncomar, but rather confirmed by the time and circumſtances in which the accuſer of the ſaid Warren Haſtings ſuffered death:—That one of the offices, for which a part of the money above mentioned is ſtated to have been paid to the ſaid Warren Haſtings, was given by him to Munny Begum, the widow of the late Myr Jaffier, Nabob of Bengal, whoſe ſon, by another woman, holds that title at preſent:—That the ſaid Warren Haſtings had been inſtructed by the Court of Directors of the Eaſt-India Company to appoint "*a Miniſter* to tranſact the political affairs of "the Government, and to ſelect for that purpoſe ſome "perſon well qualified for the affairs of Government, "to be the miniſter and guardian of the Nabob's mi-"nority:"—That for theſe offices, and for the execution of the ſeveral duties belonging to them, the ſaid Warren Haſtings ſelected and appointed the ſaid Munny Begum, a woman evidently unqualified for, and incapable of ſuch offices, and reſtrained from acting in ſuch capacities, by her neceſſary ſecluſion from the world, and retirement in a ſeraglio:—That a conſiderable deficiency or embezzlement appearing in this woman's account of the young Nabob's ſtipend, ſhe voluntarily declared, by a writing under her ſeal, that ſhe had given 15,000l. to the ſaid Warren Haſtings for an entertainment; which declaration correſponds with, and confirms that part of the charge produced by Raja Nuncomar, to which it relates:—That neither this, nor any other part of the ſaid charge, has been at any time

time directly denied or disputed by the said Warren Hastings, though made to his face, and though he was repeatedly accused by his colleagues, who wete appointed by Parliament at the same time with himself, of peculation of every sort: — That, instead of promoting a strict inquiry into his conduct for the clearance of his innocence and honour, he did repeatedly endeavour to elude and stifle all inquiry, by attempting to dissolve the meetings of the Council at which such charges were produced, and by other means, and has not since taken any steps to disprove or refute the same: — That the said Warren Hastings, so long ago as September 1775, assured the Court of Directors, "That it was his fixed determination most fully and "liberally to explain every circumstance of his con-"duct on the points on which he had been injuriously "arraigned, and to afford them the clearest conviction "of his own integrity, and of the propriety of his mo-"tives for declining a present defence of it;" and having never since given to the Court of Directors any explanation whatever, much less the full and liberal explanation he had promised so repeatedly, has thereby abandoned even that late and protracted defence, which he himself must have thought necessary to be made at some time or other; and which he would be thought to have deferred to a period more suitable and convenient than that in which the facts were recent; and the impression of these, and other charges of the same nature against him, was fresh and unimpaired in the minds of men.

That on the 30th of March 1775, a member of the Council produced and laid before the Board a petition from Myr Zein Abul Dheen, (formerly farmer of a district, and who had been in creditable stations) setting forth, that Khan Jehan Cawn, then Phousdar of Houghly, had obtained that office from the said Warren Hastings, with a salary of seventy-two thousand Sicca rupees a year; and that the said *Phousdar had given a receipt of bribe to the patron of the city*, meaning Warren Hastings, to pay him annually thirty-six thousand

thoufand rupees a year, and alfo to his banyan, Cantoo Baboo, four thoufand rupees a year, out of the falary above mentioned.—That by the 35th article of the inftructions given to the Governor General and Council, they are directed "immediately to caufe the ftricteft "inquiry to be made into all oppreffions, which might "have been committed either againft the natives or "Europeans, and into all abufes that might have pre- "vailed in the collection of the revenues, or any part "of the civil government of the Prefidency, and to "communicate to the Directors all information which "they might be able to obtain relative thereto, or to "any diffipation or embezzlement of the Company's "money."—That the above petition and inftruction having been read in Council, it was moved that the petitioner fhould be ordered to attend the next day to make good his charge.—That the faid Warren Haftings declared, "that it appeared to him to be the "purpofe of the majority to make him the fole object "of their perfonal attacks.—That they had taken "their line, and might purfue it.—That he fhould "have other remarks to make upon this tranfaction; "but as they would be equally applicable *to many* "*others*, which in the courfe of this bufinefs were "likely to be brought before the Board, he fhould "fay no more on the fubject;"—and he objected to the motion.—That by the preceding declaration, the faid Warren Haftings did admit, that many other charges were likely to be brought againft him, and that fuch charges would be of a fimilar nature to the firft, viz. a corrupt bargaining for the difpofal of a great office, fince he declared that his remarks on that tranfaction would be equally applicable to the reft; and that, by objecting to the motion for the perfonal attendance of the accufer, he refifted and difobeyed the Company's inftructions; and did, as far as depended on his power, endeavour to obftruct and prevent all inquiry into the charge. That in fo doing, he failed in his duty to the Company; he difobeyed their exprefs orders, and did leave the charge againft himfelf without a reply, and even without a denial; and with that unavoidable

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presumption against his innocence, which lies against every person accused, who not only refuses to plead, but, as far as his vote goes, endeavours to prevent an examination of the charge, and to stifle all inquiry into the truth of it.—That the motion having been nevertheless carried, the said Warren Hastings did, on the day following, declare, "that he could not sit to be "confronted with such accusers, nor suffer a judicial "inquiry into his conduct, at the Board of which he "was President, and declared the meeting of the "Board dissolved."—That the Board continued to sit and examine witnesses, servants of the Phousdar, on oath and written evidence, being letters under the hand and seal of the Phousdar, all directly tending to prove the charge; viz. that out of the salary of seventy-two thousand rupees a year paid by the Company, the said Phousdar received but thirty-two thousand, and that the remainder was received by the said Warren Hastings and his banyan.—That the Phousdar, though repeatedly ordered to attend the Board, did, under various pretences, decline attending until the 19th of May, when the letters stated to be his, that is, under his hand and seal, being shewn to him, it was proposed by a member of the Board, that he should be asked, whether he had any objection to swear to the truth of such answers as he might make to the questions proposed by the Board.—That the said Warren Hastings objected to his being put to his oath.—That the question was nevertheless put to him, in consequence of a resolution of the Board.—That he first declined to swear, under pretence *that it was a matter of serious consequence to his character to take an oath*; and, when it was finally left to his option, he declared, "Mean people might "swear, but that his character would not allow him; "that he could not swear, and had rather subject "himself to a loss."—That the evidence in support of the charge being on oath, was in this manner left uncontradicted; that it was admitted by the said Warren Hastings, that neither Mussulmen or Hindoos are forbidden by the precepts of their religion to swear. That it is not true, as the said Warren Hastings

tings aſſerted, that it was repugnant to the *manners* either of Hindoos or Muſſulmen; and that if, under ſuch pretences, the natives were to be exempted from taking an oath, when examined by the Governor and Council, all the inquiries pointed out to them by the Company's inſtructions might ſtop or be defeated.—That no valid reaſon was, or could be aſſigned, why the ſaid Phouſdar ſhould not be examined on oath; that the charge was not againſt himſelf; and that, if any queſtions had been put to him, tending to make him accuſe himſelf, he might have declined to anſwer them.—That, if he could have ſafely ſworn to the innocence of the ſaid Warren Haſtings, from whom he received his employment, he was bound in gratitude, as well as juſtice, to the ſaid Warren Haſtings, to have conſented to be examined on oath.—That not having done ſo, and having been ſupported and abetted in his refuſal by the ſaid Warren Haſtings himſelf, whoſe character and honour were immediately at ſtake, the whole of the evidence for the truth of the charge remains unanſwered, and in full force againſt the ſaid Warren Haſtings, who on this occaſion recurred to the declaration he had before made to the Directors, viz. "That he would moſt fully and liberally explain every circumſtance of his conduct," but has never ſince that time given the Directors any explanation whatſoever of his ſaid conduct.—And finally, that when the Court of Directors, in January 1776, referred the queſtion (concerning the legality of the power aſſumed, and repeatedly exerciſed by the ſaid Warren Haſtings, of diſſolving the Council at his pleaſure) to the late Charles Sayer, then Standing Council of the Eaſt-India Company, the ſaid Charles Sayer declared his opinion in favour of the power; but concerning the uſe and exerciſe of it, in the caſes ſtated, did declare his opinion in the following words: "I believe he, Warren Haſtings, is the firſt Governor that ever diſſolved a Council inquiring into his behaviour when he was innocent." Before he could ſummon three councils, and diſſolve them, he had time fully to conſider

ſider what would be the reſult of ſuch conduct, *to convince every body beyond a doubt of his conſcious guilt.*

That by a reſolution of a majority of the Council, conſtituting a lawful act of the Governor General and Council, the ſaid Khân Jehan Khân was diſmiſſed from the office of Phouſdar of Houghly, for a contempt of the authority of the Board.—That, within a few weeks after the death of the late Colonel Monſon, the number of the Council being then even, and all queſtions being then determined by the Governor General's caſting voice, the ſaid Warren Haſtings did move, and carry it in Council, that the ſaid Khân Jehan Khân ſhould be reſtored to his office;—and that reſtoration not having been preceded, accompanied, or followed by any explanation or defence whatſoever, or even by a denial of the ſpecific and circumſtantial charge of colluſion with the ſaid Khân Jehan Khân, has confirmed the truth of the ſaid charge.

That, beſides the ſums charged to have been paid to the ſaid Warren Haſtings by the ſaid Nuncomar, and Munny Begum, and Khân Jehan Khân, and beſides the ſum of one hundred and ten thouſand pounds, already mentioned to have been accepted without heſitation by him as a preſent on the part of the Nabob of Oude and that of his miniſters, the circumſtances of which have been particularly reported to the Houſe of Commons, it appears by the confeſſion of the ſaid Warren Haſtings, that he has, at different times ſince the promulgation of the act of 1773, received various other ſums, contrary to the expreſs prohibition of the ſaid act, and his own declared ſenſe of the evident intent and obligation thereof.—That in the month of June 1780, the ſaid Warren Haſtings made to the Council, what he called "a very unuſual tender, by "offering to exonerate the Company from the ex-"pence of a particular meaſure, and to *take it upon* "*himſelf*; declaring that he had already depoſited two "lacks of rupees (or twenty-three thouſand pounds) "in the hands of the Company's Sub-Treaſurer for

" that ſervice."—That in a ſubſequent letter, dated the 29th of November, 1780, he informed the Court of Directors, that " this money, by whatever means it " came into their poſſeſſion, *was not his own*;" but he did not then, nor has he at any time ſince, made known to the Court of Directors, from whom, or on what account, he received that money, as it was his duty to have done in the firſt inſtance; and, notwithſtanding the ſaid Directors ſignified to him their expectation that he ſhould communicate to them " immediate in- " formation of the channel by which this money came " into his poſſeſſion, with a complete illuſtration of " the cauſe or cauſes of ſo extraordinry an event :"— But, from evidence examined in England, it has been diſcovered that this money was received by the ſaid Warren Haſtings from Cheyt Sing, the Rajah of Benares, who was ſoon after diſpoſſeſſed of all his property, and driven from his country and government by the ſaid Warren Haſtings.

That notwithſtanding the declaration made by the ſaid Warren Haſtings, that he had actually depoſited the ſum above mentioned in the hands of the Company's Sub-Treaſurer for their ſervice, it does not appear, that " any entry whatſoever of that, or any other " payment by the Governor General, was made in the " treaſury accounts, at or about the time," nor is there any trace in the Company's books of its being actually paid into their treaſury.

It appears, then, by the confeſſion of the ſaid Warren Haſtings, that this money was received by him; but it does not appear that he has converted it to the property and uſe of the Company.

That in a letter from the ſaid Warren Haſtings to the ſaid Court of Directors, dated the 22d of May, 1782, but not diſpatched, as it might and ought to have been at that time, but detained and kept back by the ſaid Warren Haſtings till the 16th of December following, he has confeſſed the receipt of various other ſums,

fums, amounting (with that which he accepted from the Nabob of Oude) to nearly two hundred thoufand pounds, which fums he affirmed had been converted to the Company's property through his means, but without difcovering from whom, or on what account he received the fame.—That, inftead of converting this money to the Company's property, as he affirmed he had done, it appears that he had lent the greater part of it to the Company upon bonds bearing intereft, which bonds were demanded and received by him, and, for aught that yet appears, have never been given up or cancelled.—That for another confiderable part of the above-mentioned fum, he has taken credit to himfelf, as for a depofit of his own property, and therefore demandable by him out of the Company's treafury, at his difcretion.—That all fums fo lent or depofited are not alienated from the perfon who lends or depofits the fame, confequently, that the declaration made by the faid Warren Haftings, that he had converted the whole of thefe fums to the Company's property, was not true; nor would fuch a transfer, if it had really been made, have juftified the faid Warren Haftings in originally receiving the money; which being, in the firft inftance, contrary to law, could not be rendered legal by any fubfequent difpofition or application thereof; much lefs would it have juftified the faid Warren Haftings in delaying to make a difcovery of thefe tranfactions to the Court of Directors, until he had heard of the inquiries then begun, and proceeding in Parliament, in finally making a difcovery, fuch as it is, in terms the moft intricate, obfcure, and contradictory. That, inftead of that full and clear explanation of his conduct, which the Court of Directors demanded, and which the faid Warren Haftings was bound to give them, he has contented himfelf with telling the faid Directors, that "if this matter was to "be expofed to the view of the public, his reafons for "acting as he had done might furnifh a variety of con-"jectures, to which it would be of little ufe to reply. "That he either chofe to conceal the firft receipts from "public curiofity, by receiving bonds for the amount,

" or poſſibly acted without any ſtudied deſign which " his memory could at that diſtance of time verify ; " and that he *could* have concealed them from their " eye, and that of the public, for ever." That the diſcovery, as far as it goes, eſtabliſhes the guilt of the ſaid Warren Haſtings, in taking money againſt law, but does not warrant a concluſion, that he has diſcovered *all* that he may have taken. That, on the contrary, ſuch diſcovery not being made in proper time, and, when made, being imperfect, perplexed, and wholly unſatisfactory, leads to a juſt and reaſonable preſumption, that other facts of the ſame nature have been concealed, ſince thoſe which he has confeſſed might have been for ever ; and that this partial confeſſion was either extorted from the ſaid Warren Haſtings by the dread of detection, or made with a view of removing ſuſpicion, and preventing any farther inquiry into his conduct.

That the ſaid Warren Haſtings, in a letter to the Court of Directors, dated the 21ſt of February, 1784, has confeſſed his having *privately received* another ſum of money, the amount of which he has not declared, but which, from the application he ſays he has made of it, could not be leſs than thirty-four thouſand pounds ſterling.—That he has not informed the Directors from whom he received this money, at what time, nor on what account ; but, on the contrary, has attempted to juſtify the receipt of it, which was illegal, by the application of it, which was unauthoriſed and unwarrantable, and which, if admitted as a reaſon for receiving money *privately*, would conſtitute a precedent of the moſt dangerous nature to the Company's ſervice.—That in attempting to juſtify the receipt and application of the ſaid money, he has endeavoured to eſtabliſh principles of conduct in a governor, which tend to ſubvert all order and regularity in the conduct of public buſineſs, to encourage and facilitate fraud and corruption in all offices of pecuniary truſt, and to defeat all inquiry into the miſconduct of any perſon in whom pecuniary truſt is repoſed.—That the ſaid Warren

ren Haſtings, in his letter above mentioned, has made a declaration to the Court of Directors in the following terms:—" Having had occaſion to diſburſe from " my own caſh many ſums, which, though required " to enable me to execute the duties of my ſtation, I " have hitherto omitted to enter in my public accounts, " and my own fortune being unequal to ſo heavy a " charge, I have reſolved to reimburſe myſelf in a " mode the moſt ſuitable to the ſituation of your af-" fairs, by charging the ſame in my Durbar accounts " of the preſent year, and crediting them in a ſum " *privately received*, and appropriated to your ſervice " in the ſame manner with other ſums received on ac-" count of the honourable Company, and already car-" ried to their account."—That, at the time of writing this letter, the ſaid Warren Haſtings had been in poſſeſſion of the government of Fort William about twelve years, with a clear ſalary, or avowed emoluments, at no time leſs than twenty-five thouſand pounds ſterling a year, excluſive of which, all the principal expences of his reſidence were paid for by the Company.—That if the ſervices mentioned by him were required to enable him to execute the duties of his ſtation, he ought not to have omitted to enter them in his public accounts, at the times when the expences were incurred. That if it was true, as he affirms, that when he firſt engaged in theſe expences he had no intention to carry them to the account of the Company, there was no ſubſequent change in his ſituation which could juſtify his departing from that intention.—That if his own fortune, in the year 1784, was unequal to ſo heavy a charge, the ſtate of his fortune, at any earlier period, muſt have been ſtill more unequal to ſo heavy a charge.—That the fact ſo aſſerted by the ſaid Warren Haſtings leads directly to an inference palpably falſe and abſurd, viz. That the longer a Governor General holds that lucrative office, the poorer he muſt become.—That neither would the aſſertion, if it were true, nor the inference, if it were admitted, juſtify the conduct avowed by the ſaid Warren Haſtings, in reſolving to reimburſe himſelf out of the Company's

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property without their consent or knowledge.—That the account transmitted in this letter is stiled by himself *an aggregate of a contingent account of twelve years.*—That all contingent accounts should be submitted to those who ought to have an official control over them, at annual or other shorter periods, in order that the expence already incurred may be checked and examined, and similar expences, if disapproved of, may be prohibited in time; that after a very long period is elapsed, all check and control over such expences is impracticable; and, if it were practicable in the present instance, would be completely useless, since the said Warren Hastings, without waiting for the consent of the Directors, did *resolve to reimburse himself.*—That the conduct of the said Warren Hastings, in withholding these accounts for twelve years together, and then resolving to reimburse himself without the consent of his employers, has been fraudulent in the first instance, and, in the second, amounts to a denial and mockery of the authority placed over him by law; and that he has thereby set a dangerous example to his successors, and to every man in trust or office under him.—That the mode in which he has reimbursed himself, is a crime of a much higher order, and greatly aggravates whatever was already criminal in the other parts of this transaction.—That the said Warren Hastings, in declaring that he should reimburse himself, by crediting the Company by *a sum privately received*, has acknowledged himself guilty of an illegal act, in receiving money *privately*.—That he has suppressed or withheld every particular which could throw any light on a conduct so suspicious in a governor, as the *private* receipt of money.—That the general confession of the private receipt of a large sum in gross, in which no circumstance of time, place, occasion, or person, nor even the amount is specified, tends to cover or protect any act of the same nature (as far as a general confession can protect such acts) which may be detected hereafter, and which, in fact, may not make part of the gross sum so confessed, and that it tends to perplex and defeat all inquiry into such practices.—That the said

ſaid Warren Haſtings, in ſtating to the Directors that he has reſolved to reimburſe himſelf in *a mode the moſt ſuitable to the ſituation of their affairs*, viz. by receiving money privately againſt law, has ſtated a preſumption highly injurious to the integrity of the ſaid Directors; viz. that they will not object to, or even inquire into any extraordinary expences incurred and charged by their Governors in India, provided ſuch expences are reimburſed by money privately and illegally received. —That he has not explained what that ſituation of their affairs was or could be, to which ſo dangerous and corrupt a principle was or might be applied.—That no evidence has been produced to prove that it was true, nor any ground of argument ſtated to ſhew that it might be credible, that any native of India had voluntarily and gratuitouſly given money privately to the ſaid Warren Haſtings, that is, without ſome proſpect of a benefit in return, or ſome dread of his reſentment, if he refuſed.—That it is not a thing to be believed, that any native would give large ſums privately to a governor, which he refuſed to give or lend publicly to Government, unleſs it were to derive ſome adequate ſecret advantage from the favour, or to avoid ſome miſchief from the enmity of ſuch governor.—That the late confeſſions made by the ſaid Warren Haſtings, of money received againſt law, are no proof that he did not originally intend to appropriate the ſame to his own uſe, ſuch confeſſions having been made at a ſuſpicious moment, when, and not before, he was apprized of the inquiries commenced in the Houſe of Commons, and when a dread of the conſequence of thoſe inquiries might act upon his mind; that ſuch confeſſions, from the obſcure, intricate, and contradictory manner in which they are made, imply guilt in the ſaid Warren Haſtings, as far as they go; that they do not furniſh any colour of reaſon to conclude that he has confeſſed all the money which he may have corruptly received; but that, on the contrary, they warrant a juſt and reaſonable preſumption, that in diſcovering ſome part of the bribes he has received, he

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hoped to lull ſuſpicion, and thereby conceal and ſecure the reſt.

That the Court of Directors, when the former accounts of theſe tranſactions came before them, did ſhew an evident diſpoſition not to cenſure the ſaid Warren Haſtings, but to give the moſt favourable conſtruction to his conduct; that nevertheleſs they found themſelves obliged "to confeſs that the ſtatement of thoſe "tranſactions appeared to them in many parts *ſo unin-* "*telligible*, that they felt themſelves under the neceſſity "of calling on the Governor General for an explana- "tion, agreeably to his promiſe voluntarily made to "them."

That their letter, containing this requiſition, was received in Bengal in the month of Auguſt 1784, and that the ſaid Warren Haſtings did not embark for England until the 2d of February 1785, but made no reply to that letter before his departure, owing, as he has ſince ſaid, *to a variety of other more important occupations:* —That, under pretence of ſuch occupations, he neglected to tranſmit to the Court of Directors a copy of a paper, which, he ſays, contained the *only* account he ever kept of the tranſaction. That ſuch a paper, or a copy of it, might have been tranſmitted, without interrupting other important occupations, if any could be more important than that of giving a clear and ſatisfactory anſwer to the requiſition of the Directors. That, ſince his arrival in England, he has written a letter to the Chairman of that Court, profeſſedly in anſwer to their letter above mentioned, but in fact giving no explanation or ſatisfaction whatſoever on the points which they had declared to be unintelligible. That the terms of his letter are ambiguous and obſcure, ſuch as a guilty man might have recourſe to, in order to cover his guilt, but ſuch as no innocent man, from whom nothing was required but to clear his innocence, by giving plain anſwers to plain queſtions, could poſſibly have made uſe of. That in his letter of the 11th of July 1785, he ſays, "That he has been kindly ap- "prized

"prized that the information required as above w
"*yet expected from him:* That the submission, which his
"respect would have enjoined him to pay to the com-
"mand imposed on him, *was lost to his recollection;*
"perhaps from the stronger impression, which the first
"and distant perusal of it had left on his mind, that
"it was rather intended as a reprehension for some-
"thing which had given offence in his report of the
"original transaction, than as expressive of any want
"of a farther elucidation of it."

That the said Warren Hastings, in affecting to doubt whether the information expressly required of him by his employers, was expected or not, has endeavoured to justify a criminal delay and evasion in giving it. That, considering the importance of the subject, and the recent date of the command, it is not possible *that it could be lost to his recollection;* much less is it possible that he could have understood the specific demand of an answer to specific questions to be intended only as a reprehension for a former offence, viz. the offence of withholding from the Directors that very explanation which he ought to have given in the first instance. That the said Warren Hastings, in his answer to the said questions, cautiously avoids affirming or denying any thing, in clear positive terms, and professes to recollect nothing with absolute certainty. That he has not, even now, informed the Directors of the name of any one person from whom any part of the money in question was received, nor what was the motive of any one person for giving the same. That he has, indeed, declared, that his motive for lending to the Company, or depositing in their treasury, in his own name, money which he has, in other places, declared to be their property, was to avoid ostentation, and that *lending* the money was *the least liable to reflection;* yet, when he has stated these and other conjectural motives for his own conduct, he declares *he will not affirm, though he is firmly persuaded, that those were his sentiments on the occasion.* That of one thing only the said Warren Hastings declares he is *certain,* viz. "That it was his design ori-

"ginally to have *concealed* the receipt of all the ſums, " except the ſecond, even from the knowledge of the " Court of Directors; but that when fortune threw a " ſum in his way of a magnitude *which could not be con-* " *cealed*, and the peculiar delicacy of his ſituation, at " the time in which he received it, made him more " circumſpect of appearances, he *choſe* to apprize his " employers of it." That the ſaid Warren Haſtings informs the Directors, that he had indorſed the bonds taken by him for money belonging to the Company, and lent by him to the Company, *in order to guard againſt their becoming a claim on the Company, as part of his eſtate in the event of his death*; but he has not affirmed, nor does it any where appear, that he has ſurrendered the ſaid bonds, as he ought to have done. That the ſaid Warren Haſtings, in affirming that he had not time to anſwer the queſtions put to him by the Directors while he was in Bengal—in not bringing with him to England the documents neceſſary to enable him to anſwer thoſe queſtions, or in pretending that he has not brought them—in referring the Directors back again to Bengal for thoſe documents, and for any farther information on a ſubject on which he has given them no information, and particularly in referring them back to a perſon in Bengal for a paper, which he ſays contained the *only* account he ever kept of the tranſaction, while he himſelf profeſſes to doubt whether that paper *be ſtill in being*, whether *it be in the hands* of that perſon, or whether that perſon *can recollect any thing diſtinctly concerning it*—has been guilty of groſs evaſions, and of palpable prevarication and deceit, as well as of contumacy and diſobedience to the lawful orders of the Court of Directors; and thereby confirmed all the former evidence of his having conſtantly uſed the influence of his ſtation for the moſt ſcandalous, illegal, and corrupt purpoſes.

No. IX.

No. IX.

THAT Warren Haſtings having, by his agent, Lauchlin Macleane, Eſq. on the 10th day of of October, in the year 1776, "ſignified to the "Court of Directors, his deſire to reſign his office of "Governor General of Bengal, and requeſted their "nomination of a ſucceſſor to the vacancy which "would be thereby occaſioned in the Supreme Coun-"cil:" the Court of Directors did thereupon deſire the ſaid Lauchlin Macleane "to inform them of the "authority under which he acted in a point of ſuch "very great importance;" and the ſaid Lauchlin Macleane "ſignifying thereupon his readineſs to give "the Court every poſſible ſatisfaction on that ſubject, "but the powers with which he was intruſted by the "papers in his cuſtody, being mixed with other mat-"ters of a nature extremely confidential, he would "ſubmit the ſame to the inſpection of any three of "the members of the Court:" the ſaid Court of Di-rectors empowered the Chairman, Deputy Chairman, and Richard Beecher, Eſq. to inſpect the authorities, powers, and directions, with which Mr. Macleane was furniſhed by Mr. Haſtings, to make the propoſitions contained in his letter of the 10th of October 1776, and to report their opinion thereon. And the ſaid Committee did accordingly, on the 23d of the ſaid month, report, "That, having conferred with Mr. "Macleane on the ſubject of his letter preſented "to the Court the 11th inſtant, they found, that, "from the purport of Mr. Haſtings's inſtructions, "contained in a paper in his own hand writing, given "to Mr. Macleane, and produced by him to them, "Mr. Haſtings declared, he would not continue in "the government of Bengal, unleſs certain conditions, "therein ſpecified, could be obtained, of which they "ſaw no probability; and Mr. George Vanſittart had "declared to them, that he was preſent when theſe "inſtructions were given to Mr. Macleane, and when "Mr. Haſtings empowered Mr. Macleane to declare his "reſignation to the ſaid Court; that Mr. Stewart had

" likewiſe confirmed to them, that Mr. Haſtings " declared to him, that he had given directions to the " above purpoſe by Mr. Macleane."

And the Court of Directors having received from the ſaid report, due ſatisfaction reſpecting the authority veſted in the ſaid Lauchlin Macleane, to propoſe the ſaid reſignation of the office of Governor General of Bengal, did unanimouſly reſolve to accept the ſame; and did alſo, under powers veſted in the ſaid Court the by act of the 13th year of His preſent Majeſty, " nominate and appoint Edward Wheler, Eſq. to ſucceed to the office in the Council of Fort William, " in Bengal, which will become vacant by the ſaid " reſignation, if ſuch nomination ſhall be approved " by His Majeſty:" which nomination and appointment was afterwards in due form approved and confirmed by His Majeſty.

That the Court of Directors did, by a poſtſcript to their general letter, dated 25th October 1776, acquaint the Governor General and Council at Calcutta, of their acceptance of the ſaid reſignation; of their appointment of Edward Wheler, Eſq. to fill the ſaid vacancy, and of His Majeſty's approbation of the ſaid appointment, together with the grounds of their ſaid proceedings; and did tranſmit to the ſaid Governor General and Council, copies of the ſaid inſtruments of appointment and confirmation.

That the ſaid diſpatches from the Court of Directors, were received at Calcutta, and were read in Council on the 19th day of June, in the year 1777; and that Warren Haſtings, Eſq. having taken no ſteps to yield the government to his ſucceſſor, General Clavering, and having obſerved a profound ſilence on the ſubject of the ſaid diſpatches, he, the ſaid General Clavering, did, on the next day, being the 20th of June, by a letter addreſſed to the ſaid Warren Haſtings, require him to ſurrender the keys of Fort William, and of the Com-

Company's treasuries: but the said Warren Hastings, did positively refuse to comply with the said requisition, "denying that his office was vacated, and declaring "his resolutio to assert and maintain his authority by "every legal means."

That the said General Clavering, conceiving, that the office of Governor General was vacated, by the arrival of the said dispatches, which acquainted the Council General of the resignation of the said Warren Hastings, and the appointment of the said Edward Wheler, Esq.; and that he, the said General Clavering, had, in consequence thereof, legally succeeded, under the provisions of the act of the 13th year of His present Majesty's reign, to the said office of Governor General, become vacant in the manner aforesaid; did, in virtue thereof, issue, in his own name, summonses to Richard Barwell, Esq. and Philip Francis, Esq. members of the Council, to attend the same; and in the presence of the said Philip Francis, Esq. who obeyed the said summons, did take the oaths as Governor General, and did sit and preside in Council as Governor General, and prepared several acts and resolutions in the said capacity of Governor General; and did, amongst other things, prepare a proclamation to be made of his said succession to the government, and of its commencing from the date of the said proclamation; but did not carry any of the acts or resolutions so prepared into execution.

That the said Warren Hastings did, notwithstanding thereof, and in pursuance of his resolution, to assert and maintain his authority, illegally and unjustifiably sommon the Council to meet in another department, and did sit and preside therein, apart from the said General Clavering and his Council; and in conjunction with Richard Barwell, Esq. who concurred therein; issued sundry orders, and did sundry acts of government belonging to the office of Governor General; and, amongst others, did order several letters to be written in the name of the Governor General and

Coun-

Council, and did fubfcribe the fame, to the Commandant of the Garrifon of Fort William; and to the commanding Officer at Barrackpore; and to the commanding Officers at the other ftations; and alfo to the Provincial Councils, and Collectors in the provinces; enjoining them feverally "to obey no orders, excepting fuch as fhould be figned by the faid Warren Haftings, or a majority of his Council."

That the faid Warren Haftings did, by the faid proceedings, which were contrary both to law and to good faith, conftitute a double government, thereby deftroying and annihilating all government whatever; and, by his faid orders to the military officers, did prepare for open refiftance by arms, expofing thereby the fettlement and all the inhabitants, fubjects of, or dependent on, the Britifh Government, whether native or European, not only to political diftractions, but to the horrors of civil war; and did, by expofing the divifions and weaknefs of the Supreme Government, and thereby loofening the obedience of the provinces, fhake the whole foundation of Britifh authority, and imminently endanger the exiftence of the Britifh nation in India.

That the faid evils were averted only by the moderation of the faid General Clavering, and Philip Francis, Efq. in confenting to a reference, and fubmitting to the decifion of the Judges of the Supreme Court of Judicature, although they entertained no doubts themfelves on the legality of their proceedings, and the validity of General Clavering's inftant right to the chair; and although they were not in any way bound by law to confult the faid Judges, who had no legal or judicial authority therein, in virtue of their offices, or as a Court of Juftice; but were confulted, and interpofed their advice only as individuals, by the voluntary reference of the parties in the faid difpute. And the faid Warren Haftings, by his declaration, entered in minutes of Council, "that it was his determination to abide by the opinion of the Judges," and by the meafure

meaſures he had previouſly taken as aforeſaid, to enforce the ſame by arms, did riſque all the dangerous conſequences above mentioned; which muſt have taken place, if the ſaid General Clavering, and Philip Francis, Eſq. had not been more tender of the public intereſts, and leſs tenacious of their own rights, and had perſiſted in their claim, as they were by law intitled to do, the extra-judicial interpoſition of the Judges notwithſtanding; and from which claim they receded only from their deſire to preſerve the peace of the ſettlement, and to prevent the miſchiefs which the illegal reſiſtance of the ſaid Warren Haſtings would otherwiſe infallibly have occaſioned.

That after the ſaid Judges had delivered their opinion, " That the place and office of Governor General of this Preſidency, had not yet been vacated " by Warren Haſtings, and that the actual aſſumption of the government, by the member of the " Council, next in ſucceſſion to Mr. Haſtings, in conſequence of any deduction which could be made " from the papers communicated to them, would be " abſolutely illegal." And after the ſaid General Clavering, and Philip Francis, Eſq. had ſignified to the ſaid Warren Haſtings, by a letter dated the 21ſt of June, " their intention to acquieſce in the ſaid opinion of the Judges;" and when the differences in the Supreme Council were by theſe means compoſed, and the calamities conſequent thereon were avoided, the ſaid Warren Haſtings, and Richard Barwell, Eſq. did once more endanger the public peace and ſecurity, by other illegal, unwarrantable, and unprovoked acts of violence; having omitted to ſummon either the ſaid General Clavering, or the ſaid Philip Francis, Eſq. to Council; and having, in a Council held thus privately and clandeſtinely, and contrary to law, on the 22d day of June, come to the following reſolutions, viz.

" Reſolved, — That by the ſaid acts, orders, and " declarations of Lieutenant-general John Clavering,

" reci-

" recited in the foregoing papers [meaning the pro-
" ceedings of General Clavering, in his separate
" Council on the 20th of June] he has actually
" usurped and assumed, and taken possession of the
" place and office of Governor General of the Presi-
" dency of Fort William in Bengal, granted by the
" act of the 13th of His present Majesty to Warren
" Hastings, Esq.

" Resolved, — That Lieutenant-general John Cla-
" vering has thereby relinquished, resigned, surren-
" dered, and vacated, the office of Senior Counsellor
" of Fort William in Bengal.

" Resolved, — That Lieutenant-general John Cla-
" vering has thereby relinquished, resigned, surren-
" dered, and vacated his place of Commander in
" Chief of the Company's forces in India.

" Resolved, — That Richard Barwell, Esq. by vir-
" tue of the said act of Parliament, and by the death
" of the Honourable George Monson, Esq. is pro-
" moted to the office of Senior Counsellor of the Pre-
" sidency of Fort William in Bengal, in consequence
" of the said relinquishment, resignation, surrender,
" and vacation of General Clavering.

" Resolved, — That the office of Commander in
" Chief of the Company's forces in India, by the re-
" linquishment, resignation, surrender, and vaca-
" tion, of General Clavering, and by the death of
" the Honourable George Monson, Esq. does no
" longer exist.

" Resolved, — That, for the preservation of the
" legality of our proceedings, Lieutenant-general
" John Clavering be not in future summoned or ad-
" mitted as a member of the Governor General and
" Council."

And

And the ſaid Warren Haſtings and Richard Barwell, Eſq. did again ſit in Council on the next day, being the 23d of June, without ſummoning either General Clavering, or Philip Francis, Eſq.; and did come to ſeveral other reſolutions, and make ſeveral orders, contrary to law or juſtice, and inconſiſtent with the tranquillity and the ſecurity of the ſettlement; that is to ſay, they ordered their ſecretary " to notify to Ge-" neral Clavering that the Board had declared his " offices of Senior Counſellor and Commander in Chief " to be vacant; and to furniſh him with a copy of " theſe proceedings, containing the grounds of the " Board for the aforeſaid declaration."

And they ordered extracts of the ſaid proceedings " to be iſſued in General orders, with letters to all " the provincial councils and military ſtations, direc-" ting them to publiſh the ſame in general orders:" and they reſolved, " That all military returns be made " to the Governor General and Council, in their mi-" litary department, until a Commander in Chief ſhall " be appointed by the Company."

That on the day following, that is to ſay, on the 24th of June, the ſaid Warren Haſtings did again omit to ſummon General Clavering to Council, and did again, together with Richard Barwell, Eſq. who concurred therein, adhere to and confirm the ſaid illegal reſolutions come to on the two former days, declaring " that they could not be retracted but by the " preſent authority of the law, or by future or-" ders from home;" and aggravating the guilt of the ſaid unjuſtifiable acts, by declaring, as the ſaid Warren Haſtings did, " that they were not the precipitate " effects of an inſtant and paſſionate impulſe, but the " fruits of long and moſt temperate deliberations, of " inevitable neceſſity, of the ſtricteſt ſenſe of public " duty, and of a conviction equal in its impreſſion on " his mind to abſolute certainty."

That the ſaid Warren Haſtings was the leſs excuſable in this obſtinate adherence to his former unjuſt proceedings, as the ſaid declarations were made in anſwer to a motion made by Philip Francis, Eſq. for the reverſal of the ſaid proceedings, and to a minute introducing the ſaid motion; in which Mr. Francis ſet forth, in a clear and forcible manner, and in terms with which the Court of Directors have ſince declared their entire concurrence, both the extreme danger and the illegality and invalidity of the ſaid proceedings of Warren Haſtings and Richard Barwell, Eſq. concluding the ſaid minute by the following conciliatory declaration: "And, that this ſalutary motion may not "be impeded by any idea or ſuſpicion that General "Clavering may do any act inconſiſtent with the ac-"quieſcence which both he and I have avowed in the "deciſion of the judges, I will undertake to anſwer "for him in this reſpect; or that, if he ſhould depart "from the true ſpirit and meaning of that acquieſ-"cence, I will not be a party with him in ſuch pro-"ceedings."

That the ſaid Warren Haſtings could not plead ignorance of the law in excuſe for the ſaid illegal acts, as it appears, from the proceedings of the four preceding days, that he was well acquainted with the tenure by which the members of the Council held their offices under the act of the 13th of His preſent Majeſty, and had ſtated the ſame as a ground for retaining his own office, contrary to an expreſs declaration of the Court of Directors, and an inſtrument under the ſign manual of His Majeſty: and the Judges of the Supreme Court, in their reaſons for their deciſion in his favour, had ſtated the proviſions in the ſaid act, ſo far as they related to the matter in diſpute; from which it appeared, that there were but four grounds on which the office of any member of the Council could be vacated; namely, death, removal, reſignation, or promotion. And as the act confined the power of removal to "His Majeſty, his heirs and ſucceſſors, "upon repreſentation made by the Court of Direc-

"tors,

"tors of the said United Company for the time "being;" and conferred no such power on the Governor General, or a majority of the Council, to remove, on any ground, or for any cause whatever, one of their colleagues; so, granting the claim of General Clavering to the chair, and his acts done in furtherance thereof, to have been illegal and criminal in whatever degree, yet it did not furnish to the rest of the Council any ground to remove him from his office of counsellor, under the provisions of the said act; and there could therefore remain only his *resignation* or *promotion*, as a possible means of vacating his said office. But with regard to the promotion of General Clavering to the office of Governor General, although he claimed it himself, yet, as Mr. Hastings did not admit it, and as, in fact, it was even receded from by General Clavering, it could not be considered, at least by Mr. Hastings, as a valid ground for vacating his office of senior counsellor, since the act requires for that purpose, not a rejected claim, but an actual and effectual promotion; and General Clavering's office of Counsellor could no more be vacated by such a naked claim, unsupported and disallowed, than the seat of a member of the House of Commons could be vacated, and a new writ issued to supply the vacancy, by his claim to the office of steward of the Chiltern Hundreds, when His Majesty has refused to appoint him to the said office. And with regard to resignation, although the said Warren Hastings, as a colour to his illegal resolutions, had affectedly introduced the word "resigned," amongst those of "relinquished, surrendered, and vacated," yet he well knew that General Clavering had made no offer nor declaration of his resignation of his offices of Senior Counsellor and Commander in Chief; and that he did not claim the office of Governor General on the ground of any such resignation made by himself, but on the ground of a resignation made by the said Warren Hastings; which resignation the said Warren Hastings did not admit; and the use of the term *resigned*, on that occasion, was therefore a ma-

 nifest

nifeſt and a wilful miſconſtruction and miſapplication of the words of the act of His preſent Majeſty. And ſuch miſinterpretation and falſe extenſion of the term of reſignation was the more indecent in the ſaid Warren Haſtings, as he was at the ſame moment diſavowing and refuſing to give effect to his own clear and expreſs reſignation, according to the true intent and meaning of the word, as uſed in the ſaid act, made by his agent, duly authorized and inſtructed by himſelf ſo to do, to an authority competent to receive and accept the ſame.

That although the ſaid Warren Haſtings did afterwards recede from the ſaid illegal meaſures, in compliance with the opinion and advice of the judges again interpoſed, and did thereby avoid the guilt of ſuch farther acts, and the blame of ſuch farther evils, as muſt have been conſequent on a perſiſtance therein; yet he was, nevertheleſs, ſtill guilty of the illegal acts above deſcribed; and the ſame are great crimes and miſdemeanors.

That, although the Judges did decide that the office of Governor General, held by the ſaid Warren Haſtings, was not *ipſo facto*, and *inſtanter*, vacated by the arrival of the ſaid diſpatches and documents, tranſmitted by the Court of Directors; and did conſider the ſaid conſequences of the reſignation as awaiting ſome future act or event for its complete and effectual operation; yet the ſaid judges did not declare any opinion on the ultimate invalidity of the ſaid acts of Lauchlin Macleane, Eſq. as not being binding on his principal, Warren Haſtings, Eſq. nor did they declare any opinion, that the obligation of the ſaid reſignation was not from the beginning concluſive and effectual, although its operation was, from the neceſſity of the caſe, on account of the diſtance between England and India, to take place only in future; or that the ſaid reſignation made by Lauchlin Macleane, Eſq. was only an offer or propoſal of a reſignation to be made at ſome future and indefinite period,

period, or a mere intimation of the desire of Warren Hastings, Esq. to resign at some future and indefinite period, and that the said resignation, notwithstanding the acceptance thereof by the Court of Directors, and the regular appointment and confirmation of a successor, was still to remain optional in the said Warren Hastings, to be ratified or departed from at his future choice or pleasure: nor did the said Judges pronounce, nor do any of their reasonings which accompanied their decision tend to establish it as their opinion, that even the time for ratifying and completing the said transaction was to be at the sole discretion of the said Warren Hastings; but they only delivered their opinion, as aforesaid, that his said office "has "not *yet* been vacated, and (therefore) that the *actual* "assumption of the Government by the member of "the Council next in succession was (in the actual "circumstances, and *rebus sic stantibus*) illegal."

That the said Warren Hastings does no where himself contend, that the said resignation was not absolute, but optional, according to the true meaning and understanding of the parties in England, and so far as the acts of Lauchlin Macleane, Esq; and the Court of Directors, were binding on him; but, on the contrary, he grounds his refusal to complete the same, not on any interpretation of the words in which the said resignation, and the other instruments aforesaid, were conceived, but rather on a disavowal (not direct indeed, but implied) of his said agent, and of the powers under which the said agent had claimed to act in his behalf. Neither did the said Warren Hastings ground his said refusal on any objection to the particular day, or period, or circumstances, in which the requisition of General Clavering was made; nor accompany the said refusal with any qualification in that respect, or with any intimation that he would at any future or more convenient season, comply with the same; although such an intimation might probably have induced General Clavering to wave an instant and immediate claim to the chair, and might, therefore,

therefore, have prevented the diſtractions which happened, and the greater evils which impended, in conſequence of the ſaid claim of General Clavering, and the ſaid refuſal of Warren Haſtings, Eſq; but the ſaid Warren Haſtings did, on the contrary, expreſs his ſaid refuſal in ſuch general and unqualified terms, as intimated an intention to reſiſt abſolutely and altogether, both then and at any future time, the ſaid requiſition of General Clavering. And the ſubſequent proceedings of the ſaid Warren Haſtings do all concur in proving that ſuch was his intention: for he did afterwards, in conformity to the advice of the Judges, move a reſolution in Council, "That all "parties be placed in the ſame ſituation in which "they ſtood before the receipt of the laſt advices "from England; reſerving and ſubmitting to a de"ciſion in England, the reſpective claims that each "party may conceive they have a right to make, "but not acting upon thoſe claims till ſuch deciſion "ſhall arrive in Bengal;" thereby clearly and explicitly declaring, that it was not his intention to ſurrender the government until ſuch deciſion ſhould arrive in Bengal, which could not be expected in leſs time than a year and a half after the date of the ſaid reſolution; and thereby clearly and explicitly declaring, that he did not conſider his reſignation as binding for the preſent. And the ſaid intention was manifeſted, if poſſible, ſtill more directly and expreſsly, in a letter written by the ſaid Warren Haſtings to the Court of Directors, dated the 15th of Auguſt 1777, being almoſt two months after the receipt of the ſaid diſpatches; in which the ſaid Warren Haſtings declares, that "he did not hold himſelf bound by the notifi"cation made by Mr. Macleane, nor by any of the "acts conſequent of it."

That, ſuch appearing to have been the intention of the ſaid Warren Haſtings, General Clavering was juſtified in immediately aſſuming the Government, without waiting for any future act of the ſaid Warren Haſtings for the actual ſurrender of the ſaid Government,

none

none ſuch being likely to happen; and Philip Francis, Eſq. was juſtified in ſupporting General Clavering in the ſame, on the ſoundeſt principles of juſtice, and on a maxim received in courts of equity, namely, That no one ſhall avail himſelf of his own wrong; and that, if any one refuſe or neglect to perform that which he is bound to do, the rights of others ſhall not be prejudiced thereby, but ſuch acts ſhall be deemed and reputed to have been actually performed, and all the conſequences ſhall be enforced, which would have followed from ſuch actual performance; and therefore the reſolutions moved and voted in Council by the ſaid Warren Haſtings, declaring the offices of General Clavering to be vacant, were not only illegal, in as much as the ſaid Warren Haſtings had no authority to warrant ſuch a declaration, even on the ſuppoſition of the acts of General Clavering being contrary to law; but the ſaid reſolutions were farther highly culpable and criminal, in as much as the ſaid acts done by General Clavering, which were made the pretence of that proceeding, were ſtrictly regular and legal.

That the refuſal of the ſaid Warren Haſtings to ratify the ſaid reſignation, and his diſavowal of the ſaid Lauchlin Macleane, his agent, is not juſtified by any thing contained in his ſaid letter to the Court of Directors, dated on the 15th of Auguſt, 1777, the ſaid Warren Haſtings no where directly and poſitively aſſerting that the ſaid Lauchlin Mackleane was not his agent, and had not both full and general powers, and even particular inſtructions, for this very act, although the ſaid Warren Haſtings uſes many indirect and circuitous, but inſufficient and inapplicable, inſinuations to that effect. And the ſaid letter does, on the contrary, contain a clear and expreſs avowal that the ſaid Lauchlin Macleane was his confidential agent, and that in that capacity he acted throughout, and particularly in this ſpecial matter, with zeal and fidelity. And the ſaid letter does farther admit, in effect, the inſtructions produced by the ſaid Lauchlin Macleane, Eſq. confirmed by Mr. Vanſittart and Mr. Stewart, and relied

lied on and confided in by the Court of Directors, by which the ſaid Lauchlin Macleane appeared to be ſpecially empowered to declare the ſaid reſignation; the words of the ſaid inſtruction being as follow: "That "he (Mr. Haſtings) *will not continue in the Government of Bengal*, unleſs certain conditions therein ſpecified can be obtained:" and the words of the ſaid letter being as follow: "What I myſelf know with "certainty, or can recollect at this diſtance of time, "concerning the powers and inſtructions which were "given to Meſſrs. Macleane and Graham, when they "undertook to be my agents in England, I will cir-"cumſtantially relate.

"I am in poſſeſſion of two papers which were pre-"ſented to thoſe gentlemen at the time of their de-"parture from Bengal; one of which compriſes four "ſhort propoſitions, *which I required as the conditions* "*of my being confirmed in this Government.*"

And although the ſaid Warren Haſtings does here artfully ſomewhat change the words of his written inſtructions (and which, having in his poſſeſſion, he might as eaſily have given verbatim) to other words which may appear leſs explicit, yet they are, in fact, capable of only the ſame meaning; for as, at the time of giving the ſaid inſtructions to his agents, he was in full poſſeſſion of his office, he could want no confirmation therein, except *his own*; and, in ſuch circumſtances, "to require certain things, *as the condition of* "*his being confirmed in his Government*," is tantamount to a declaration, "*that he will not continue in his Go-*"*vernment unleſs thoſe conditions can be obtained.*" And the ſaid attempt at prevarication can ſerve its author the leſs, as either both ſentences have one and the ſame meaning, or, if their meaning be different, the original inſtructions, in his own hand writing, or, in other words, the thing itſelf, muſt be preferred as evidence of its contents, to a looſe ſtatement of its purport, founded perhaps on a looſe recollection of it at a great diſtance of time.

That the ſaid refuſal of Warren Haſtings, Eſq. was a breach of faith with the Court of Directors and His Majeſty's Miniſters in England, as the ſaid reſignation was not merely a voluntary offer, without any conſideration, and therefore ſubject to be recalled or retracted at the pleaſure of the ſaid Warren Haſtings, but ought rather to be conſidered as having been the reſult of a negotiation carried on between Mr. Macleane, for the benefit of Warren Haſtings, Eſq. on the one hand, and by the Court of Directors, for the intereſts of the Company, on the other: which view of the tranſaction will appear the more probable, when it is conſidered that, at the time of the ſaid reſignation, a ſtrict inquiry had been carrying on, by the Court of Directors, into the conduct of the ſaid Warren Haſtings; and the Solicitor and Counſel to the Company, and other eminent Counſel, had given it as their opinions, on caſes ſtated to them, that there were grounds for ſuing the ſaid Warren Haſtings in the courts of law and equity, and that the Company would be entitled to recover in the ſaid ſuits againſt Warren Haſtings, Eſq. ſeveral very large ſums of money, taken by him in his office of Governor General, contrary to law, and in breach of his covenants, and of his duty to the Company and the Public; and the Court of Directors had alſo come to various ſevere reſolutions of cenſure againſt the ſaid Warren Haſtings, and, amongſt others, to a reſolution to recal the ſaid Warren Haſtings, and remove him from his office of Governor General, to anſwer for ſundry great crimes and delinquencies by him committed in his ſaid office.

And, on theſe accounts, it appears probable, that the ſaid reſignation was tendered and accepted, as a conſideration for ſome beneficial conceſſions made in conſequence thereof to the ſaid Warren Haſtings, in his ſaid dangerous and deſperate condition.

And the ſaid refuſal was alſo an act of great diſreſpect to the Court of Directors, and to His Majeſty; and, by rendering abortive their ſaid meaſures, ſo-

lemnly and deliberately taken, and ratified and confirmed by His Majeſty, tended to bring the authority of the Court of Directors, and of His Majeſty, into contempt.

And the ſaid refuſal was an injury to General Clavering.

And was alſo, or might have been, a great injury to Edward Wheler, Eſq.

And was an act of ſignal treachery to Lauchlin Macleane, Eſq.; as alſo to Mr. Vanſittart and Mr. Stewart, whoſe honours and veracity were thereby brought into queſtion, doubt, and ſuſpicion.

And the ſaid refuſal was prejudicial to the affairs of the ſervants of the Company in India, by ſhaking the confidence to be placed in their agents by thoſe perſons with whom it might be for their intereſts to negotiate on any matter of importance, and by thus ſubjecting the communication of perſons abroad with thoſe at home to difficulties not known before.

THE END.

ARTICLES

OF

Charges of High Crimes and Misdemeanors,

AGAINST

WARREN HASTINGS, Esq.

Late Governor General of Bengal;

Presented to the House of Commons, on the 12th Day of April 1786,

By the Right Honourable EDMUND BURKE.

PART II.

LONDON:

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M,DCC,LXXVI.

No. X.

THAT the ſaid Warren Haſtings, in the year 1777, did grant to the Surgeon General a contract for three years, for defraying every kind of hoſpital and medicinal expence—not only in breach of the general orders of the Court of Directors with reſpect to the duration of contracts, but in direct oppoſition to a particular order of the Court of Directors, of the 30th of March 1774, when they directed, "that "the ſurgeon ſhould not be permitted to enjoy any "emolument ariſing from his being concerned in dieting the patients; and that the occupations of ſur-"geon and contractor ſhould be forthwith ſeparated." That the ſaid contract was in itſelf highly improper, and inconſiſtent with the good of the ſervice; as it afforded the greateſt temptation to abuſe, and eſtabliſh a pecuniary intereſt in the Surgeon General, contrary to the duties of his ſtation and profeſſion.

No. XI.

THAT the Governor General and Council at Fort William did, on the motion and recommendation of Warren Haſtings, Eſquire, enter into a contract with Archibald Frazer, Eſquire, on the 16th of April 1778, for the repairs of the pools and banks in the province of Burdwan, for two years, at the rate of 120,000 Sicca Rupees for the firſt year, and 80,000 rupees for the ſecond year.

That on the 19th of December 1778, the ſaid Warren Haſtings did farther perſuade the Supreme Council to prolong the term of the above contract with Archibald Frazer for the ſpace of three years more, on the ſame conditions; namely, the payment of 80,000 Sicca rupees for each year. To which was added, a permiſſion to Mr. Frazer to make *dobunds*, or ſpecial repairs, whenever he ſhould judge them neceſſary, at the charge of Government.

That the ſaid contracts, both in the manner of their acceptance by the Supreme Council, without having previouſly advertiſed for propoſals, and in the extent of their duration, were made in direct violation of the ſpecial orders of the Court of Directors.

That ſo far from any advantage having been obtained for the Company in the terms of theſe contracts, in conſideration of the length of time for which they were to continue, the expence of Government upon this article was increaſed by theſe engagements to a very great amount.

That it appears that this contract had been held for ſome years before by the Rajah of Burdwan, at the rate of 25,000 rupees per annum.

That the ſuperintendant of Poolbundy repairs, after an accurate and diligent ſurvey of the Bunds and Pools, and the Provincial Council of Burdwan, upon the beſt information they could procure, had delivered it as their opinion to the Governor General and Council, before the ſaid agreement was entered into, that after the heavy expence, (ſtated in Mr. Kinlock's eſtimate, viz. 119,405 Sicca rupees,) if diſburſed as they recommended, the charge in future ſeaſons would be greatly reduced; *and after one thorough and effectual repair, they conceived a ſmall annual expence would be ſufficient to keep the bunds up, and prevent their going to decay.*

That

That whatever extraordinary and unuſual damages the pools and bunds might have ſuſtained, either from the neglect of the Rajah's officers, or from the violence of the then late rains, and the torrents thereby occaſioned, to juſtify the expence of the firſt year, yet as they were all conſidered and included in the eſtimate for that year, there could be no pretence for allowing and continuing ſo large and burdenſome a payment as 80,000 rupees per annum, for the four ſucceeding years.

That the ſaid Warren Haſtings did, in his minutes of the 13th of February 1778, himſelf ſupport that opinion, in the compariſon to be made between Mr. Thomſon's propoſals of undertaking the ſame ſervice for 60,000 rupees a year, for nine years, and the terms of Mr. Frazer's contracts; preferring the latter, becauſe theſe were "to effect a complete repair, which could "hardly be concluded in one ſeaſon, and the ſubſe-"quent expence would be but trifling."

Notwithſtanding which, the ſaid Warren Haſtings urged and prevailed upon the Council to allow in the firſt year the full amount propoſed by Mr. Kinlock in his eſtimate of the neceſſary repairs, and did burden the Company with what he muſt have deemed to be for the greater part an unneceſſary expence of 80,000 rupees per annum, for four years.

That the permiſſion granted to Mr. Frazer to make dobunds, or new and additional embankments of the old ones, whenever he ſhould judge them neceſſary, at the charge of Government, (the ſaid charge to be verified by the oath of the ſaid Frazer, without any voucher,) was a power very much to be ſuſpected, and very improper to be entruſted to a contractor, who had already covenanted to keep the old pools in perfect repair, and to conſtruct new ones wherever the old pools had been broken down and waſhed away, or where the courſe of the rivers might have rendered new ones neceſſary, in

confideration of the great fums ftipulated to be paid to him by the Government.

That the grant of the foregoing contracts, and the permiffion afterwards annexed to the fecond of the faid grants, become much more reprehenfible from a confideration of the circumftances of the perfon to whom fuch a grant was made.

That the due performance of the fervice required local knowledge and experience, which the faid Archibald Frazer, being an officer in the Supreme Court of Juftice, could not have poffeffed.

No. XII.

THAT it appears that the opium produced in Bengal and Bahar is a confiderable and lucrative article in the export trade of thofe provinces; that the whole produce has been for many years monopolized, either by individuals, or by the Government; that the Court of Directors of the Eaft-India Company, in confideration of the hardfhip impofed on the native owners and cultivators of the lands, who were deprived of their natural right of dealing with many competitors, and compelled to fell the produce of their labour to a fingle monopolift, did authorize the Governor General and Council to give up that commodity as an article of commerce.

That while the faid commodity continued to be a monopoly for the benefit of Government, and managed by a contractor, the contracts for providing it were fubject to the Company's fundamental regulation, namely,

namely, to be put up to auction, and difpofed of to the beft bidder; and that the Company particularly ordered, that the commodity, when provided, fhould be configned to the Board of Trade, who were directed to difpofe thereof by public auction.

That in May 1777 the faid Warren Haftings granted to John Mackenzie a contract for the provifion of opium, to continue three years, and without advertifing for propofals; that this tranfaction was condemned by the Court of Directors, notwithftanding a claufe had been inferted in that contract, by which it was left open to the Court of Directors to annul the fame at the expiration of the firft or fecond year.

That, about the end of the year 1780, the faid Warren Haftings, in contradiction to the order above mentioned, did take away the fale of the opium from the Board of Trade, though he difclaimed, at the fame time, *any intention of implying a cenfure on their management.*

That, in March 1781, the faid Warren Haftings did grant to Stephen Sulivan, fon of Lawrence Sulivan, chirman of the Court of Directors of the Eaft-India Company, a contract for the provifion of opium, without advertifing for propofals, and without even receiving any written propofals from him the faid Sulivan; that he granted this contract for four years, and, at the requeft of the faid Sulivan, did omit that claufe which was inferted in the preceding contract, and by which it was rendered liable to be determined by orders from the Company; the faid Warren Haftings declaring, contrary to truth, that fuch claufe was now unneceffary, as the Directors *had approved* the contract.

That the faid Sulivan had been but a few months in Bengal when the above contract was given to him; that he was a ftranger to the country, and to all the local commerce thereof, and therefore unqualified for the management of fuch a concern; and that the faid Sulivan,

Sulivan, inftead of executing the contract himfelf, did, fhortly after obtaining the fame, affign it over to John Benn and others; and, in confideration of fuch affignment, did receive from the faid Benn a great fum of money.

That, from the preceding facts, as well as from fundry other circumftances of reftrictions taken off, (particularly by abolifhing the office of infpector into the quality of the opium,) and of beneficial claufes introduced, it appears that the faid Warren Haftings gave this contract to the faid Stephen Sulivan, in contradiction to the orders of the Court of Directors, and without any regard to the interefts of the India Company, for the fole purpofe of creating an inftant fortune for the faid Sulivan at the expence of the India Company, without any claim of fervice or pretence of merit on his part, and without any apparent motive whatever, except that of fecuring or rewarding the attachment and fupport of his father, Laurence Sulivan, a perfon of great authority and influence in the direction of the Company's affairs, and notorioufly attached to and connected with the faid Warren Haftings.

That the faid Stephen Sulivan neither poffeffed, nor pretended to poffefs, any fkill in the bufinefs of his contract; that he exerted no induftry, nor fhewed, or could fhew, any exactnefs in the performance of it; fince he immediately fold the contract for a fum of money to another perfon (for the fole purpofe of which fale, it muft be prefumed, the fame was given;) by which perfon another profit was to be made; and by that perfon the fame was again fold to a third, by whom a third profit was to be made.

That the faid Warren Haftings, at the very time when he engaged the Company in a contract for engroffing the whole of the opium produced in Bengal and Bahar in the enfuing four years, on terms of fuch exorbitant profit to the contractar, affirmed, that "there was little profpect of felling the opium in Bengal "at

" at a reaſonable price; and that it was but natural to " ſuppoſe that the price of opium *would fall, from* " *the demand being leſſened.*"—That, in a letter dated the 5th of May 1781, he informed the Directors, " That, owing to the indifferent ſtate of the markets " laſt ſeaſon to the eaſtward, and the very enhanced " rates of inſurance which the war had occaſioned, " they had not been able to diſpoſe of the opium of " the preſent year to ſo great an advantage as they ex- " pected; and that more than one half of it remained " ſtill in their warehouſes."—That the ſaid Warren Haſtings was guilty of a manifeſt breach of truſt to his conſtituents and his employers, in monopolizing for their pretended uſe an article of commerce, for which he declared *no purchaſers had offered, and that there was little proſpect of any offering; and the price of which,* he ſaid, *it was but natural to ſuppoſe would fall.* That the ſaid Warren Haſtings having, by his own act, loaded the Company with a commodity, for which, either in the ordinary and regular courſe of public auction, or even by private contract, there was, as he affirmed, no ſale, did, under pretence of finding a market for the ſame, engage the Company in an enterprize of great and certain expence, ſubject to a manifeſt riſque, and full of diſgrace to the Eaſt-India Company; not only in their political character, as a great ſovereign power in India; but in their commercial character, as an eminent and reſpectable body of merchants: and that the execution of this enterprize was accompanied with ſundry other engagements with other perſons; in all of which the Company's intereſt was conſtantly ſacrificed to that of individuals favoured by the ſaid Warren Haſtings.

That the ſaid Warren Haſtings firſt engaged in a ſcheme to export one thouſand four hundred and ſixty cheſts of opium, on the Company's account, on board a ſhip belonging to Cudbert Thornhill; half of which was to be diſpoſed of in a coaſting voyage, and the remainder in Canton.—That, beſides the freight and commiſſion payable to the ſaid Thornhill, on this adventure,

ture, twelve pieces of cannon belonging to the Company were lent for arming the ſhip; though his original propoſal was, that the ſhip ſhould be armed at his expence.—That this part of the adventure depending for its ſucceſs on a prudent and fortunate management of various ſales and re-ſales, in the courſe of a circuitous voyage; and being expoſed to ſuch riſque both of ſea and enemy, that all private traders had declined to be concerned in it; was particularly unfit for a great trading Company, and could not be undertaken on their account with any rational proſpect of advantage.

That the ſaid Warren Haſtings ſoon after engaged in another ſcheme for exporting two thouſand cheſts of opium directly to China, on the Company's account, and for that purpoſe accepted of an offer made by Henry Watſon, the Company's chief engineer, to convey the ſame in a veſſel of his own, and to deliver it to the Company's ſupra cargoes.—That, after the offer of the ſaid Henry Watſon had been accepted, a letter from him was produced at the Board, in which he declared, that he was unable to equip the ſhip with a proper number of cannon, and requeſted that he might be furniſhed with thirty-ſix guns from the Company's ſtores at Madras; with which requeſt the Board complied.—That it appears that George Williamſon, the Company's auctioneer at Calcutta, having complained that, by this mode of exporting the opium, which uſed to be ſold by public auction, he loſt his commiſſion as auctioneer, the Board allowed him to draw a commiſſion of one per cent. on all the opium which had been or was to be exported.—That it appears that the contractor for opium (whoſe proper duties and emoluments, as contractor, ended with the delivery of the opium) was alſo allowed to draw a commiſſion on the opium then ſhipping on the Company's account; but for what reaſon, or on what pretence, does not appear.

That the ſaid Warren Haſtings, in order to pay the ſaid Stephen Sulivan in advance for the opium furniſhed,

niſhed, or to be furniſhed, by him in the firſt year of his contract, did borrow the ſum of twenty lacks of rupees, at eight per cent., or 200,000l. ſterling, to be repaid by drafts to be drawn on the Company by their ſupra cargoes in China, provided the opium conſigned to them ſhould arrive ſafe; but that if the adventure failed, whether by the loſs of the ſhips or otherwiſe, the ſubſcribers to the above loan were to be repaid their capital and intereſt out of the Company's treaſury in Bengal.

That the ſaid Warren Haſtings, having in this manner purchaſed a commodity, for which he ſaid there was no ſale, and paid for it with money which he was obliged to borrow at a high intereſt, was ſtill more criminal in his attempt, or pretended plan, to introduce it clandeſtinely into China. That the importation of opium into China is forbidden by the Chineſe Government; that the opium, on ſeizure, is burnt; the veſſel, that imports it, confiſcated; and the Chineſe, in whoſe poſſeſſion it may be found for ſale, puniſhed with death.

That the Governor General and Council were well aware of the exiſtence of theſe prohibitions and penalties; and did therefore inform the ſupra cargoes in China, that the ſhip, belonging to the ſaid Henry Watſon, would enter the river at China as an armed ſhip, *and would not be reported as bearing a cargo of opium. that being a contraband trade.*—That of the above two ſhips, the firſt, belonging to Cudbert Thornhill, was taken by the French; and that the ſecond, arriving in China, did occaſion much embarraſſment and diſtreſs to the Company's ſupra cargoes there, who had been previouſly conſulted on the formation of the plan, and were expoſed to great difficulty and hazard in the execution of their part of it. That the ſhip was delayed, at a demurrage of an hundred dollars a day, for upwards of three months, waiting in vain for a better market.—The factory eſtimate the *loſs* to the Company, including port charges, demurrage, and factory charges

allowed the Captain, at ſixty-nine thouſand nine hundred and ninety-three dollars, or about twenty thouſands pounds ſterling.

That the Company's factory at China, after ſtating the foregoing facts to the Court of Directors, conclude with the following general obſervation thereon:—"On "a review of theſe circumſtances, with the extrava-"gant and unuſual terms of the freight, demurrage, "factory charges, &c. &c. we cannot help being of "opinion, that private conſiderations have been ſuf-"fered to interfere too much for any benefit that may "have been intended to the honourable Company. "We hope for the honourable Court's approbation of "our conduct in this affair. The novelty and nature "of the conſignments have been the ſource of much "trouble and anxiety; and, though we wiſhed to have "had it in our power to do more, we may truly ſay we "have exceeded our expectations."

That every part of this tranſaction, from the monopoly with which it commenced to the contraband dealing with which it concluded, criminates the ſaid Warren Haſtings with wilful diſobedience of orders, and a continued breach of truſt: that every ſtep taken in it was attended with heavy loſs to the Company, and with a ſacrifice of their intereſt to that of individuals: and that, if finally a profit had reſulted to the Company from ſuch a tranſaction, no profit attending it could compenſate for the probable riſque to which their trade in China was thereby expoſed; or for the certain diſhonour, and conſequent diſtruſt, which the Eaſt-India Company muſt incur in the eyes of the Chineſe government, by being engaged in a low, clandeſtine traffic, prohibited by the laws of the country.

No. XIII.

No. XIII.

THAT, in the month of February 1781, Mr. Richard Joſeph Sulivan, Secretary to the Select Committee at Fort St. George, applied to them for leave to proceed to Calcutta *on his private affairs*. That, being the Confidential Secretary to the Select Committee at Fort St. George, and conſequently poſſeſſed of all the views and ſecrets of the Company, as far as they related to that government, he went privately into the ſervice of the Nabob of Arcot; and, under the pretence of proceeding to Calcutta on his private buſineſs, undertook a commiſſion from the ſaid Nabob to the Governor General and Council, to negotiate with them in favour of certain projects of the ſaid Nabob, which had been reprobated by the Company.

That the ſaid Sulivan was ſoon after appointed back again, by the ſaid Warren Haſtings, to the office of Reſident at the Durbar of the ſaid Nabob of Arcot. That it was a high crime and miſdemeanor, in the ſaid Haſtings, to encourage ſo dangerous an example in the Company's ſervice, and to interfere unneceſſarily with the Government of Madras, in the diſcharge of the duties peculiarly aſcribed to them by the practice and orders of the Company, for the purpoſe of appointing to a great and confidential ſituation a man who had ſo recently committed a breach of truſt to his employers.

That the Court of Directors, in the letter to Bengal, dated the 12th of July 1782, and received there on the 18th of February 1783, did *condemn and revoke* the ſaid appointment. That the ſaid Directors, in theirs to Fort St. George, dated the 28th of Auguſt 1782, and received there the 31ſt of January 1783, did highly condemn the conduct of the ſaid Sulivan;

and, in order to deter their servants from practices of the same kind, *did dismiss him from their service.*

That the said Hastings, knowing that the said Sulivan's appointment had been condemned and revoked by the Court of Directors, and pretending that, on the 15th of March 1783, he did not know that the said Sulivan was *dismissed* from the Company's service, though that fact was known at Madras on the 31st of the preceding January, did recommend the said Sulivan to be Ambassador at the Court of Nizam Ally Cawn, Subahdar of the Decan, in defiance of the authority and orders of the Court of Directors.

That even admitting, what is highly improbable, that the *dismission* of the said Sulivan from the service of the said Company was not known at Calcutta in forty-three days from Madras, the last mentioned nomination of the said Sulivan was made at least in contempt of the censure already expressed by the Court of Directors, at his former appointment to the Durbar of the Nabob of Arcot, and which was certainly known to the said Hastings.

No. XIV.

THAT on the 2d of December 1779, the Governor General and Council of Fort William, at the special recommendation and instance of Warren Hastings, Esq. then Governor General, and contrary to the declared opinion and protest of three of the members of the Council; viz. Philip Francis and Edward Wheler, Esqrs. who were present; and of Sir

Eyre

Eyre Coote, who was abſent (by whoſe abſence the caſting voice of the ſaid Warren Haſtings, Eſq. prevailed); did conclude a treaty of perpetual friendſhip and alliance, offenſive and defenſive, with a Hindoo Prince, called the Ranna of Gohud, for the expreſs purpoſe of uſing the forces of the ſaid Ranna in oppoſition to the Mahrattas.

That, among other articles, it was ſtipulated with the ſaid Ranna, by the ſaid Warren Haſtings, "That "whenever peace ſhould be concluded between the "Company and the Mahratta State, the Maha Raja "ſhould be included as a party in the treaty which "ſhould be made for that purpoſe, and his preſent "poſſeſſions, together with the Fort of Gualior, which "of old belonged to the family of the Maha Rajah, "if it ſhould be then in his poſſeſſion, and ſuch "countries as he ſhould have acquired in the courſe "of war, and which it ſhould then be ſtipulated to "leave in his hands, ſhould be guaranteed to him by "ſuch treaty."

That in the late war againſt the Mahrattas, the ſaid Ranna of Gohud did actually join the Britiſh army, under the command of Golonel Muir, with two battalions of infantry, and 1200 cavalry, and did then ſerve in perſon againſt the Mahrattas, thereby affording material aſſiſtance, and rendering eſſential ſervice to the Company.

That, in conformity to the above-mentioned treaty, in the fourth article of the treaty of peace, concluded on the 13th of October 1781, between Colonel Muir on the part of the Engliſh Company, and Madajee Scindia the Mahratta General, the ſaid Ranna of Gohud was expreſsly included.

That, notwithſtanding the ſaid expreſs proviſion and agreement, Madajee Scindia proceeded to attack the forts, and lay waſte the territories of the ſaid Ranna, and did undertake and proſecute a war againſt him

for

for the ſpace of two years; in the courſe of which, the Ranna and his family were reduced to extreme diſtreſs, and in the end he was deprived of his forts, and the whole not only of his acquired poſſeſſions, but of his original dominions, ſo ſpecially guaranteed to him by the Britiſh Government in both the abovementioned treaties.

That the ſaid Warren Haſtings was duly and regularly informed of the progreſs of the war againſt the Ranna, and of every event thereof; notwithſtanding which, he not only neglected in any manner to interfere therein in favour of the ſaid Ranna, or to uſe any endeavours to prevent the infraction of the treaty, but gave conſiderable countenance and encouragement to Madajee Scindia in his violation of it, both by the reſidence of the Britiſh Miniſter in the Mahratta camp, and by the approbation ſhewn by the ſaid Warren Haſtings to the promiſes made by his agent of obſerving the ſtricteſt neutrality, notwithſtanding he was in juſtice bound, and ſtood pledged by the moſt ſolemn and ſacred engagements, to protect and preſerve the ſaid Ranna from thoſe enemies, whoſe reſentment he had provoked only by his adherence to the intereſts of the Britiſh nation.

That, in the only attempt made to ſound the diſpoſition of Madajee Scindia, relative to a pacification between him and the Ranna of Gohud, on the 14th of May 1783, Mr. Anderſon, in obedience to the orders he had received, did clearly and explicitly declare to Bhow Buckſey, the Miniſter of Madajee Scindia, the ſentiments of the ſaid Warren Haſtings, in the words following:—"That it was ſo far from your (the ſaid "Haſtings's) meaning, to intercede in his (the ſaid "Ranna's) favour, that I only deſired him to ſound "Scindia's ſentiments, and in caſe he was deſirous of "peace, to mention what I had ſaid; but, if he "ſeemed to prefer carrying on the war, I begged "that he would not mention a ſyllable of what had "paſſed, but let the matter drop entirely."

That

That it aftewards appeared, in a minute of the ſaid Haſtings, in Council at Fort William, on the 22d of September 1783, that he promiſed, at the inſtance of a member of the Council, to write to Lieutenant James Anderſon in favour of the Ranna of Gohud, and lay his letter before the Board.

That nevertheleſs the ſaid Haſtings, profeſſing not to *recollect* his ſaid promiſe, did *neglect to write a formal letter to Lieutenant Anderſon in favour of the ſaid Ranna of Gohud*, and that the private letter, the extract of which the ſaid Haſtings did lay before the Board on the 21ſt of October 1783, ſo far from directing any effectual interference in favour of the ſaid Ranna, or commanding his agent, the ſaid James Anderſon, to interpoſe the mediation of the Britiſh Government to procure "*honourable terms*" for the ſaid Ranna, or even "*ſafety to his perſon and family*," contains the bittereſt invectives againſt him, and is expreſſive of the ſatisfaction which the ſaid Haſtings acknowledges himſelf to have enjoyed in the diſtreſſes of the ſaid Ranna, the ally of the Company.

That the meaſures therein recommended, appear rather to have been deſigned to ſatisfy Madajee Scindia, and to juſtify the conduct of the Britiſh Government, in not having taken a more active and a more hoſtile part againſt the ſaid Ranna, than an interceſſion on his behalf.

That though no conſideration of good faith, or obſervance of treaties, could induce the ſaid Haſtings to incur the hazard of any hoſtile exertion of the Britiſh force for the defence or the relief of the allies of the Company, yet in the ſaid private letter he directed, that in caſe his mediation ſhould be accepted, it ſhould be made a *ſpecific condition*, that, *if the ſaid Ranna ſhould take advantage of Scindia's abſence to renew his hoſtilities, we ought in that caſe, on requiſition, to invade the dominions of the Ranna.*

That

That no beneficial effects could have been procured to the ſaid Ranna by an offer of mediation delayed till Scindia no longer wanted " *our aſſiſtance to cruſh ſo* " *fallen an enemy*;" at the ſame time that no reaſon was given to Scindia to apprehend the danger of drawing upon himſelf the reſentment of the Britiſh Government, by a diſregard of their propoſal and the deſtruction of their ally.

That it was a groſs and ſcandalous mockery in the ſaid Haſtings to defer an application to obtain honourable terms for the Ranna, and ſafety for his perſon and family, till he had been deprived of his principal fort, in defence of which his uncle loſt his life, and on the capture of which his wife, to avoid the diſhonour conſequent upon falling into the hands of her enemies, *had deſtroyed herſelf by an exploſion of gunpowder.*

That however it does not appear that any offer of mediation was ever actually made, or any influence exerted, either for the ſafety of the Ranna's perſon and family, or in mitigation of the *rigorous intentions* ſuppoſed by Lieutenant Anderſon to have been entertained againſt him by Madajee Scindia after his ſurrender.

That the ſaid Haſtings, in the inſtructions given by him to Mr. David Anderſon for his conduct in negotiating the treaty of peace with the Mahrattas, expreſſed his determination to deſert the Ranna of Gohud, in the following words: " you will of courſe " be attentive to any engagements ſubſiſting between " us and other powers, in ſettling the terms of peace " and alliance with the Mahrattas; I except from this " the Ranna of Gohud."—" Leave him to ſettle his " own affairs with the Mahrattas."

That the ſaid Anderſon appears very aſſiduouſly to to have ſought for grounds to juſtify the execution of this

this part of his inſtructions, to which he was, at all events, obliged to conform.

That, even after his application for that purpoſe to the Mahrattas, whoſe teſtimony was much to be ſuſpected, becauſe it was their intereſt to accuſe, and their determined object to deſtroy the ſaid Ranna, no ſatisfactory proof was obtained of his defection from the engagements he had entered into with the Company.

That moreover, if all the charges which have been pretended againſt the Ranna, and have been alledged by the ſaid Haſtings in juſtification of his conduct, had been well founded, and proved to be true, the ſubject matter of thoſe accuſations, and the proofs by which they were to be ſupported, were known to Colonel Muir before the concluſion of the treaty he entered into with Madajee Scindia; and therefore, whatever ſuſpicions may have been entertained, or whatever degree of criminality may have been proved againſt the ſaid Ranna, previous to the ſaid treaty, from the time he was ſo provided for and included in the ſaid treaty, he was fully and juſtly entiled to the ſecurity ſtipulated for him by the Company, and had a right to demand and receive the protection of the Britiſh government.

That theſe conſiderations were urged by Mr. Anderſon to the ſaid Warren Haſtings, in his letter of the 24th of June 1781, and were enforced by this additional argument, " That in point of policy, I believe, it " ought not to be our wiſh that the Mahrattas ſhould " ever recover the fortreſs of Gualior; it forms an " important barrier to our own poſſeſſions. In the " hands of the Ranna it can be of no prejudice to us; " and notwithſtanding the preſent proſpect of a per- " manent peace betwixt us and the Mahrattas, it ſeems " highly expedient that there ſhould always remain " ſome ſtrong barrier to ſeparate us, on this ſide of In- " dia, from that warlike and powerful nation."

That the ſaid Warren Haſtings was highly culpable in abandoning the ſaid Ranna to the fury of his enemies, thereby forfeiting the honour and injuring the credit of the Britiſh nation in India, notwithſtanding the ſaid Haſtings was fully convinced, and had profeſſed, "that "the moſt ſacred obſervance of treaties, juſtice, and "good faith, were neceſſary to the exiſtence of the "national intereſts in that country."—And though the ſaid Haſtings has complained of the inſufficiency of the laws of this kidgdom to enforce this doctrine, "by the puniſhment of perſons in the poſſeſſion of "power, who may be impelled by the provocation of "ambition, avarice, or vengeance, ſtronger than the "reſtrictions of integrity and honour, to the violation "of this juſt and wiſe maxim."

That the ſaid Haſtings, in thus departing from theſe his own principles, with a full and juſt ſenſe of the guilt he would thereby incur, and in ſacrificing the allies of this country "*to the provocations of ambition,* "*avarice, or vengeance,*" in violation of the national faith and juſtice, did commit a groſs and wilful breach of his duty, and was thereby guilty of an high crime and miſdemeanor.

No. XV.

REVENUES.

PART I.

THAT the property of the lands of Bengal is, according to the laws and cuſtoms of that country, an inheritable property; and that it is, with few exceptions,

ceptions, vested in certain natives, called zemindars, or landholders, under whom other natives, called talookdars and ryots, hold certain subordinate rights of property, or occupancy, in the said lands:—That the said natives are Hindoos, and that their *rights and privileges are grounded upon the possession of regular grants, a long series of family succession, and fair purchase*:—That it appears that Bengal has been under the dominion of the Mogul, and subject to a Mahommedan Government, for above two hundred years:—That, while the Mogul Government was in its vigour, the property of zemindars was *held sacred*; and that either by voluntary grant from the said Mogul, or by composition with him, the native Hindoos were left in the free, quiet, and undisturbed possession of their lands, on the single condition of paying a fixed, certain, and unalterable revenue, or quit-rent, to the Mogul Government:—That this revenue, or quit-rent, was called the *aussil jumma*, or *original ground rent*, of the provinces, and was not increased from the time when it was first settled, in 1573, to 1740, when the regular and effective Mogul Government ended:—That, from that time to 1765, invasions, usurpations, and various revolutions, took place in the Government of Bengal; in consequence of which the country was considerably reduced and impoverished, when the East-India Company received from the present Mogul Emperor, Shâ Alum, a grant of the Dewanny, or collection of the revenues: That, about the year 1770, the provinces of Bengal and Bahar were visited with a dreadful famine and mortality, by which at least one third of the inhabitants perished:—That Warren Hastings, Esquire, has declared, "that he had always heard the loss of inhabitants reckoned at a "third, and in many places near one half, of the "whole; and that he knew not by what means such a "loss could be recruited in four or five years, and believed it impossible."—That nevertheless the revenue was *violently kept up to its former standard*; that is, in the two years immediately preceding the appointment of the said Warren Hastings to the government of Fort William: in consequence of which, *the remaining*

two thirds of the inhabitants were obliged to pay for the lands now left without cultivation; and that, from the year 1770 to the year 1775, *the country had languiſhed, and the evil continued enhancing every day*:—That the ſaid Warren Haſtings, in a letter to the Secret Committee of the Court of Directors, dated the 1ſt of September 1772, declared, "That the lands had ſuffered "unheard-of depopulation by the famine and mortality of 1769:—That the collections, *violently kept up to their former ſtandard*, had added to the diſtreſs of "the country, and threatened a general decay of the "revenue, unleſs immediate remedies were applied to "prevent it." That the ſaid Warren Haſtings has declared, "That, by intruſting the collections to the hereditary zemindars, the people would be treated with "*more tenderneſs*, the rents more improved, and cultivation more likely to be encouraged; that *they* have "a perpetual intereſt in the country; that *their* inheritance cannot be removed; that *they* are the proprietors; that the lands are *their* eſtates, and *their* inheritance; that, from a long continuance of the lands "in their families, it is to be concluded they have "rivetted an authority in the diſtrict, acquired an "aſcendancy over the minds of the ryots, and *ingratiated their affections*. That, from continuing the "lands under the management of thoſe, who have a natural and perpetual intereſt in their proſperity, ſolid "advantages might be expected to accrue: that the "zemindar would be leſs liable to failure or deficiencies than the farmer, from the perpetual intereſt "which the former hath in the country, and becauſe "his inheritance cannot be removed; and it would be "improbable that he ſhould riſque the loſs of it by "eloping from his diſtrict, which is too frequently "practiſed by a farmer, when he is hard preſſed for "the payment of his balances, and as frequently predetermined when he receives his farm:"—That notwithſtanding all the preceding declarations, made by the ſaid Warren Haſtings of the loſs of one third of the inhabitants, and general decline of the country, he did, immediately after his appointment to the Government,

ment, in the year 1772, make an arbitrary ſettlement of the revenues for five years, at a higher rate than had ever been received before, and with a progreſſive and accumulating increaſe on each of the four laſt years of the ſaid ſettlement.

That notwithſtanding the right of property and inheritance, repeatedly acknowledged by the ſaid Warren Haſtings to be in the zemindars and other native landholders, and notwithſtanding he had declared "that "the ſecurity of private property is the greateſt en-"couragement to induſtry, on which the wealth of "every ſtate depends," the ſaid Warren Haſtings, nevertheleſs, in direct violation of thoſe acknowledged rights and principles, did univerſally let the lands of Bengal *in farm* for five years; thereby deſtroying all the rights of private property of the zemindars; thereby delivering the management of their eſtates to farmers, and transferring, by a moſt arbitrary and unjuſt act of power, the whole landed property of Bengal from the owners to ſtrangers: that, to accompliſh this iniquitous purpoſe, he, the ſaid Warren Haſtings, did put the lands of Bengal up to a pretended public auction, *and invited all perſons to make propoſals for farming the ſame*, thereby encouraging ſtrangers to bid againſt the proprietors; in conſequence of which, not only the ſaid proprietors were ouſted of the poſſeſſion and management of their eſtates, but a great part of the lands fell into the hands of the banyans, or principal black ſervants of Britiſh ſubjects, connected with and protected by the Government: and that the ſaid Warren Haſtings himſelf has ſince declared, that, *by this way, the lands too generally fell into the hands of deſperate or knaviſh adventurers*: that, before the meaſure hereinbefore deſcribed was carried into execution, the ſaid Warren Haſtings did eſtabliſh certain fundamental regulations in Council, to be obſerved in executing the ſame: that, among theſe regulations, it was ſpecially and ſtrictly ordered, that no farm ſhould exceed the annual amount of *one* lack of rupees; and "that no "peſhcar, banyan, or other ſervant, of whatever de-"nomination,

" nomination, of the Collector, or relation or depen- " dant of any ſuch ſervant, ſhould be allowed to farm " lands, nor directly or indirectly to hold a concern in " any farm, nor to be ſecurity for any farmer:" that, in direct violation of theſe his own regulations, and in breach of the public truſt repoſed in him, and ſufficiently declared by the manifeſt duty of his ſtation, if it had not been expreſſed and enforced by any poſitive inſtitution, he, the ſaid Warren Haſtings, did permit and ſuffer his own banyan, or principal black ſteward, named Canto Baboo, to hold farms in different purgunnahs, or diſtricts, or to be ſecurity for farms, to the amount of thirteen lacks of rupees [130,000l. or upwards] per annum; and that, after enjoying the whole of thoſe farms for two years, he was permitted by the ſaid Warren Haſtings to relinquiſh two of them: that, on the ſubject of the farms held by Canto Baboo, the ſaid Warren Haſtings has made the following declaration: " Many of his farms were taken without " my knowledge, and almoſt all againſt my advice. " I had no right to uſe compulſion or authority; nor " could I with juſtice exclude him, becauſe he was " my ſervant, from a liberty allowed to all other per- " ſons in the country. The farms which he quitted, " he quitted by my advice, becauſe I thought that he " might engage himſelf beyond his abilities, and be " involved in diſputes, which I did not chuſe to have " come before me as judge of them." That the ſaid declaration contains ſundry falſe and contradictory aſſertions: that, if *almoſt all* the ſaid farms were taken againſt his advice, it cannot be true that *many* of them were taken without his knowledge: that, whether Canto Baboo had been his ſervant or not, the ſaid Warren Haſtings was bound by his own regulations to prevent his holding any farms to a greater amount than one lack of rupees per annum; and that the ſaid Canto Baboo, being the ſervant of the Governor General, was excluded by the ſaid regulations from holding any farms whatever: that if (as the Directors obſerve) it was thought dangerous to permit the banyan of a Collector to be concerned in farms, the ſame or ſtronger objections

objections would always lie againſt the Governor's banyan being ſo concerned: that the ſaid Warren Haſtings had a right, and was bound by his duty, to prevent his ſervant from holding the ſame: that, in adviſing the ſaid Canto Baboo to relinquiſh ſome of the ſaid farms, for which he was actually engaged, he has acknowledged an influence over his ſervant, and has uſed that influence for a purpoſe inconſiſtent with his duty to the India Company, namely, to deprive them of the ſecurity of the ſaid Canto Baboo's engagement for farms, which, on trial, he had found not beneficial, or not likely to continue beneficial, to himſelf; and that if it was improper that he, the ſaid Warren Haſtings, ſhould be the judge of any diſputes in which his ſervant might be involved on account of his farms, that reaſon ought to have obliged him to prevent his ſervant from being engaged in any farms whatever, or to have adviſed his ſaid ſervant to relinquiſh the remainder of his farms, as well as thoſe which the ſaid Warren Haſtings affirms he quitted by his advice: that, on the ſubject of the ſaid charge, the Court of Directors of the Eaſt-India Company have come to the following reſolution: "*Reſolved*, That it appears that "the conduct of the late Preſident and Council of "Fort William in Bengal, in ſuffering Canto Baboo, "the preſent Governor General's banyan, to hold "farms in different purgunnahs to a large amount, or "to be ſecurity for ſuch farms, contrary to the tenor "and ſpirit of the 17th regulation of the Committee "of Revenue at Fort William, of the 14th of May "1772, and afterwards relinquiſhing that ſecurity "without ſatisfaction made to the Company, was "highly improper, and has been attended with conſi-"derable loſs to the Company;" and that, in the whole of this tranſaction, the ſaid Warren Haſtings has been guilty of groſs colluſion with his ſervant, and manifeſt breach of truſt to his employers: that whereas it was acknowledged by the ſaid Warren Haſtings, that the country, in the year 1770 and 1771, had ſuffered great depopulation and decay; and that the collections of thoſe years, having been violently kept up to their former

former ſtandard, had added to the diſtreſs of the country; the ſettlement of the revenues made by him for five years, commencing the 1ſt of May 1772, inſtead of offering any abatement or relief to the inhabitants who had ſurvived the famine, held out to the Eaſt-India Company a promiſe of great *increaſe* of revenue, to be exacted from the country by the means hereinbefore deſcribed: that this ſettlement was not realized, but fell conſiderably ſhort, even in the firſt of the five years, when the demand was the lighteſt; and that, on the whole of the five years, the real collections fell ſhort of the ſettlement, to the enormous amount of two millions and a half ſterling, and upwards: that ſuch a ſettlement, if it had been, or could have been, rigorouſly exacted from a country already ſo diſtreſſed, and from a population ſo impaired, that, in the belief of the ſaid Warren Haſtings, it was impoſſible ſuch loſs could be recruited in four or five years, would have been in fact what it appeared to be in form, an act of the moſt cruel and tyrannical oppreſſion; but that the real uſe made of that unjuſt demand upon the natives of Bengal was, to oblige them to compound privately with the perſons who formed the ſettlement, and who threatened to enforce it: that the enormous balances and remiſſions, on that ſettlement, aroſe from a general colluſion between the farmers and collectors, and from a general peculation and embezzlement of the revenues, by which the Eaſt-India Company was groſſly impoſed on, in the firſt inſtance, by a promiſed *increaſe* of revenue, and defrauded, in the ſecond, not only by the failure of that *increaſe*, but by the revenues falling ſhort of what they were in the two years preceding the ſaid ſettlement, to a great amount. That the ſaid Warren Haſtings, being then at the head of the Government of Bengal, was a party to all the ſaid impoſition, fraud, peculation, and embezzlement, and is principally and ſpecially anſwerable for the ſame; and that whereas ſundry proofs of the ſaid peculation and embezzlement were brought before the Court of Directors, the ſaid Directors (in a letter dated the 4th of March 1778, and ſigned by William Devaynes and Nathaniel

Nathaniel Smith, Esquires, now Chairman and Deputy Chairman of the said Court, and members of this House) did declare, that, "although it was rather "their wish to prevent future evils, than to enter into "a severe retrospection of past abuses, yet, as in some "of the cases then before them they conceived there "had been *flagrant corruption*, and, in others, great "oppressions committed on the native inhabitants, "they thought it unjust to suffer the delinquents to "pass wholly unpunished; and therefore they directed "the Governor General and Council forthwith to com- "mence a prosecution against the persons who com- "posed the Committee of Circuit, and their repre- "sentatives, and against all other proper parties;" but that the prosecutions so ordered by the Court of Directors, in the year 1778, have never been brought to trial; and that the said Warren Hastings did, on the 23d of December 1783, propose and carry it in Council, *that orders should be given for withdrawing* the said prosecutions, declaring that he was clearly of opinion that there was no ground to maintain them, and *that they would only be productive of expence to the Company, and unmerited vexation to the parties.*

R E V E N U E S.

P A R T II.

THAT the said Warren Hastings has, on sundry occasions, declared his deliberate opinion generally against all innovations, and particularly in the collection and management of the revenues of Bengal; that "he was well aware of the expence and incon- "venience *which ever attends innovations of all kinds* on

" their firſt inſtitution.—That innovations are *al-* " *ways* attended with difficulties and inconveniencies, " and innovations in the revenue with a ſuſpenſion of " the collections:—That the continual variations in " the mode of collecting the revenue, and the conti- " nual uſurpations on the rights of the people, have " fixed in the minds of the Ryots, a rooted diſtruſt " of the ordinances of Government." That the Court of Directors have repeatedly declared their apprehenſions, " that a ſudden tranſition from one mode to " another, in the inveſtigation and collection of their " revenue, might have alarmed the inhabitants, leſ- " ſened their confidence in the Company's proceedings, " and been attended with other evils." That the ſaid Warren Haſtings, immediately after his appointment to the government of Fort William, in April 1772, did aboliſh the office of *Naib Duan,* or Native Collector of the revenues then exiſting:—That he did at the ſame time appoint a Committee of the Board to go on a circuit through the provinces, and to form a ſettlement of the revenues for five years:—That he did then appoint ſundry of the Company's ſervants to have the management of the collections, viz. one in each diſtrict, under the title of *Collector*:—That he did then aboliſh the General Board of Revenue or Council at Muxadavad, for the following reaſons: " That while " the controlling and executive part of the revenue, " and the correſpondence with the Collectors, was " carried on by a Council at Muxadavad, the mem- " bers of the Adminiſtration at Calcutta had no op- " portunity of acquiring that thorough and compre- " henſive knowledge, which could only reſult from " *practical experience.* That the orders of the Court " of Directors, which eſtabliſhed a new ſyſtem, which " enjoined many new regulations and inquiries, could " not properly be delegated to a ſubordinate council; " and it became abſolutely neceſſary that the buſineſs " of the revenue ſhould be conducted *under the imme-* " *diate obſervation and direction of the Board.*" That, in November 1773, the ſaid Warren Haſtings aboliſhed the office of *Collector,* and transferred the collection

and management of the revenues to ſeveral Councils of Revenue, commonly called *Provincial Councils.*—That, on the 24th of October 1774, the ſaid Warren Haſtings *earneſtly offered his advice* (to the Governor General and Council, then newly appointed by act of Parliament) *for the continuation of the ſaid ſyſtem of Provincial Councils in all its parts*—That the ſaid Warren Haſtings did, on the 22d of April 1775, tranſmit to the Directors a formal plan for the future ſettlement of the revenues, and did therein declare, that "with "reſpect to the mode of managing the collection "of the revenue, and the adminiſtration of juſtice, "none occurred to him ſo good as the ſyſtem which "was already eſtabliſhed, of Provincial Councils."—That, on the 18th of January 1776, the ſaid Warren Haſtings did tranſmit to the Court of Directors, a plan for the better adminiſtration of juſtice: that, in this plan, the eſtabliſhment of the ſaid Provincial Councils was ſpecially provided for and confirmed; and that Warren Haſtings did recommend it to the Directors, *to obtain the ſanction of Parliament for a confirmation of the ſaid plan.* That, on the 30th of April 1776, the ſaid Warren Haſtings did tranſmit to the Court of Directors the draught or ſcheme of an act of Parliament for the better adminiſtration of juſtice in the provinces, in which the ſaid eſtabliſhment of Provincial Councils is again ſpecially included, and ſpecial juriſdiction aſſigned to the ſaid Councils. That the Court of Directors, in a letter dated 5th February 1777, did give the following inſtruction to the Governor General and Council, a majority of whom, viz. Sir John Clavering, Colonel Monſon, and Mr. Francis, had diſapproved of the plan of Provincial Councils: "If "you are fully convinced that the eſtabliſhment of "Provincial Councils has not anſwered, nor is not "capable of anſwering the purpoſes intended by ſuch "inſtitutions, we hereby direct you to form a new "plan for the collection of the revenues, and to tranſ-"mit the ſame to us *for our conſideration.*" That the ſaid Warren Haſtings, in contradiction to his own ſen-

timents repeatedly declared, and to his own advice repeatedly and deliberately given, and in defiance of the orders of the Directors, to whom he transmitted no previous communication whatever, of his intention to abolish the said Provincial Councils, did, in the beginning of the year 1781, again change the whole system of the collections of the public revenue of Bengal, as also the administration of civil and criminal justice throughout the provinces. That the said Warren Hastings, in a letter dated 5th of May 1781, advising the Court of Directors of the said changes, has falsely affirmed, " that the plan of superintending " and collecting the public revenue of the provinces, " through the agency of Provincial Councils, had " been instituted for the temporary and declared pur- " pose of introducing another more permanent mode " *by an easy and gradual change*." That, on the contrary, the said Warren Hastings, from the year 1773, to the year 1781, has constantly and uniformly insisted on the wisdom of that institution, and on the necessity of never departing from it: — That he has, in that time, repeatedly advised, that the said institution should be confirmed *in perpetuity* by an act of Parliament: — That the said total dissolution of the Provincial Councils was not introduced by any easy and gradual change, nor by any gradations whatever; but was sudden and unprepared, and instantly accomplished by a single act of power: and that the said Warren Hastings, in the place of the said Councils, has substituted a Committee of Revenue, consisting of four covenanted servants, on principles opposite to those which he had himself professed; and with exclusive powers, tending to deprive the members of the Supreme Council of a due knowledge of, and inspection into, the management of the territorial revenues, specially and unalienably vested by the Legislature in the Governor General and Council, and to vest the same solely and entirely in the said Warren Hastings. That the reasons assigned by the said Warren Hastings, for constituting the said Committee of Revenue, are incompatible with those which he professed, when he abolished the Subordinate Coun-

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cil of Revenue at Muxadavad. That he has invested the said Committee *in the fullest manner, with all the powers and authority of the Governor General and Council.* That he has thereby contracted the whole power and office of the Provincial Councils into a small compass, and vested the same in four persons appointed by himself: — That he has thereby taken the general transaction and cognizance of revenue business out of the Supreme Council: — That the said Committee are impowered to conduct the current business of the revenue department, without reference to the Supreme Council, and only *report to the Board such extraordinary occurrences, claims, and proposals, as may require the special orders of the Board*—That even the instruction, to report to the Board, in extraordinary cases, is nugatory and fallacious, being accompanied with limitations which make it impossible for the said Board to decide on any questions whatsoever; since, it is expressly provided by the said Warren Hastings, *that, if the members of the Committee differ in opinion, it is not expected that every dissentient opinion should be recorded*; consequently the Supreme Council, on any reference to their Board, can see nothing but the resolutions or reasons of the majority of the Committee, without the arguments on which the dissentient opinions might be founded: and since it is also expressly provided by the said Warren Hastings, that *the determination of the majority of the Committee should not therefore be stayed, unless it should be so agreed by the majority*; that is, that, notwithstanding the reference to the Supreme Council, the measure shall be executed without waiting for their decision. — That the said Warren Hastings has delivered his opinion, with many arguments to support the same, in favour of long leases of the lands, in preference to *annual* settlements; that he has particularly declared, "that the farmer, who holds his farm for "one year only, having no interest in the next, takes "what he can with the hand of rigour, which, even "in the execution of legal claims is often equivalent "to violence. He is under the necessity of being "rigid, and *even cruel*; for what is left in arrear, after "the

"the expiration of his power, is at beſt a doubt-"ful debt, if ever recoverable. He will be tempted "to exceed the bounds of right, and to augment his "income by irregular exactions, and by racking the "tenants, for which pretences will not be wanting, "where the farms paſs *annually* from one hand to "another. That the diſcouragements which the te-"nants feel, from being transferred every year to "new landlords, are a great objection to ſuch ſhort "leaſes; that they contribute to injure the cultiva-"tion, and diſpeople the lands. That, on the con-"trary, from long farms, the farmer acquires a per-"manent intereſt in his lands; he will, for his own "ſake, lay out money in aſſiſting his tenants, in im-"proving lands already cultivated, and in clearing "and cultivating waſte lands." That nevertheleſs, the ſaid Warren Haſtings, having left it to the diſcretion of the Committee of Revenue, appointed by him in 1781, to fix the time for which the enſuing ſettlement ſhould be made; and the ſaid Committee having declared, that, *with reſpect to the period of the leaſes in general, it appeared to the Committee, that to limit them to one year would be the beſt period:* he, the ſaid Warren Haſtings, approved of that limitation, in manifeſt contradiction to all his own arguments, profeſſions, and declarations, concerning the fatal conſequences of *annual* leaſes of the lands:—That, in ſo doing, the ſaid Warren Haſtings did not hold himſelf bound or reſtrained by the orders of the Court of Directors, but acted upon his own diſcretion; and that he has, for partial and intereſted purpoſes, exerciſed that diſcretion, in particular inſtances, againſt his own general ſettlement for one year, by granting perpetual leaſes of farms and zemindaries to perſons ſpecially favoured by him; and particularly by granting a perpetual leaſe of the zemindary of Baharbund, to his ſervant Canto Baboo, on very low terms—That, in all the preceding tranſactions, the ſaid Warren Haſtings did act contrary to his duty, as Governor of Fort William, contrary to the orders of his employers, and contrary to his own declared ſenſe of expediency,

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consistency, and justice; and thereby did harrass and afflict the inhabitants of the provinces with perpetual changes in the system and execution of the government placed over them; and with continued innovations and exactions against the rights of the said inhabitants; thereby destroying all security to private property, and all confidence in the good faith, principles, and justice of the British Government:—And that the said Warren Hastings, having substituted his own instruments to be the managers and collectors of the public revenue, in the manner herein-before mentioned, did act in manifest breach and defiance of an act of the 13th of His present Majesty, by which *the ordering and management and government of all the territorial revenues in the kingdoms of Bengal, Bahar, and Orissa*, were vested in the Governor General and Council, without any power of delegating the said trust and duty to any other persons; and that by such unlawful delegation of the powers of the Council to a subordinate Board appointed by himself, he, the said Warren Hastings, did in effect unite and vest in his own person, the ordering, government, and management of all the said territorial revenues:—And that, for the said illegal act, he, the said Warren Hastings, is solely answerable, the same having ben proposed and resolved in Council, when the Governor General and Council consisted but of two persons present; namely, the said Warren Hastings, and the late Edward Wheler, Esq. and when, consequently, the Governor General, by virtue of the casting voice, possessed the whole power of the government. That, in all the changes and innovations herein-before described, the pretence used by the said Warren Hastings, to recommend and justify the same to the Court of Directors, has been, that such changes and innovations would be attended with increase of revenue, or diminution of expence to the East-India Company—That such pretence, if true, would not have been a justification of such acts; but that such pretence is false and groundless—That, during the administration of the said Warren Hastings, the territorial revenues have declined; that the charges of collect-

collecting the fame have greatly increafed; and that the faid Warren Haftings, by his neglect, mifmanagement, and by a direct and intended wafte of the Company's property, is chargeable with, and anfwerable for all the faid decline of revenue, and all the faid increafe of expence.

Mifdemeanors in OUDE.

No. XVI.

I.

THAT the province of Oude and its dependencies were, before their connection with, and fubordination to the Campany, in a flourifhing condition with regard to, culture, commerce, and population, and their rulers and principal nobility maintained themfelves in a ftate of affluence and fplendour; but very fhortly after the period aforefaid, the profperity, both of the country and its chiefs, began fenfibly and rapidly to decline; infomuch, that the revenue of the faid province, which on the loweft eftimation had been found, in the commencement of the Britifh influence, at upwards of 3,000,000l. fterling annually (and that ample revenue raifed without detriment to the country) did not, in the year 1779, exceed the fum of 1,500,000l. and in the fubfequent years did fall much fhort of that fum, although the rents were generally advanced, and the country grievoufly oppreffed in order to raife it.

II.

That in the aforefaid year 1779, the demands of the Eaft-India Company on the Nabob of Oude, are ftated

ſtated by Mr. Purling, their Reſident at the Court of Oude, to amount to the ſum of 1,360,000l. ſterling and upwards, leaving (upon the ſuppoſition that the whole revenue ſhould amount to the ſum of 1,500,000l. ſterling, to which it did not amount) no more than 140,000l. ſterling, for the ſupport of the dignity of the houſehold and family of the Nabob, and for the maintenance of his government, as well as for the payment of the public debts due within the province.

III.

That by the treaty of Fyzabad, a regular brigade of the Company's troops, to be ſtationed in the dominions of the Nabob of Oude, were kept up at the expence of the ſaid Nabob; in addition to which, a temporary brigade of the ſame troops was added to his eſtabliſhment, together with ſeveral detached corps in the Company's ſervice, and a great part of his own native troops were put under the command of Britiſh officers.

IV.

That the expence of the Company's temporary brigade increaſed in the ſame year (the year of 1779) upwards of 80,000l. ſterling above the eſtimate; and the expence of the country troops under Britiſh officers, in the ſame period, increaſed upwards of 40,000l. ſterling; and in addition to the aforeſaid ruinous expences, a large civil eſtabliſhment was gradually, ſecretly, and without any authority from the Court of Directors, or record on the books of the Council General concerning the ſame, formed for the Reſident and another, under Mr. Wombwell, an agent for the Company; as alſo ſeveral penſions and allowances, in the ſame ſecret and clandeſtine manner, were charged on the revenues of the ſaid Nabob, for the benefit of Britiſh ſubjects, beſides large occaſional gifts to perſons in the Company's ſervice.

V.

That in the month of November 1779, the ſaid Nabob did repreſent to Mr. Purling, the Company's Reſident aforeſaid, the diſtreſſed ſtate of his revenues, in the following terms: "During three years paſt, the "expence occaſioned by the troops in brigade, and "others commanded by European officers, has much "diſtreſſed the ſupport of my houſehold, inſomuch "that the allowances made to the ſeraglio and chil-"dren of the deceaſed Nabob have been reduced to "*one fourth* of what it had been, upon which they "have ſubſiſted in a very diſtreſſed manner for two "years paſt. The attendants, writers, and ſervants, "&c. of my court have received no pay for two years "paſt; and there is at preſent no part of the country "that can be allotted to the payment of my father's "private creditors, whoſe applications are daily preſ-"ſing upon me. All theſe difficulties I have for theſe "three years paſt ſtruggled through, and found this "conſolation therein, that it was complying with the "pleaſure of the honourable Company, and in the "hope that the Supreme Council would make inquiry "from impartial perſons into my diſtreſſed ſituation; "but I am now forced to a repreſentation. From the "*great increaſe of expence*, the revenues were neceſſa-"rily farmed out *at a high rate*; and deficiencies fol-"lowed yearly. The country and cultivation is aban-"doned; and this year, in particular, from the ex-"ceſſive drought, deductions of many lacks" [ſtated by the Reſident, in his letter to the Board of the 13th of the month following, to amount to 25 lacks, or 250,000l. ſterling] "have been allowed the farmers, "who were ſtill left unſatisfied.—I have received but "juſt ſufficient to ſupport my abſolute neceſſities, the "revenues being deficient to the amount of 15 lacks," [150,000l. ſterling] "and for this reaſon, many of the "old chieftains, with their troops, and the uſeful at-"tendants of the court, were forced to leave it, and "there is now only a few foot and horſe for the collec-"tion of my revenues; and ſhould the zemindars be

"refrac-

" refractory, there is not left a ſufficient number to re-" duce them to obedience." And the ſaid Nabob did therefore pray, that the aſſignments for the new brigade, the corps of horſe, and the other detached bodies of the Company's troops, might not be required from him; alledging, " that the former was not only " quite uſeleſs to his government, but, moreover, the " cauſe of much loſs both in the revenues and cuſtoms; " and that the detached bodies of troops, under their " European officers, brought nothing but confuſion " into the affairs of his government, and were entirely " their own maſters."

VI.

That it appears that the ſaid Nabob was not bound by any treaty to the maintenance, without his conſent, *even of the old brigade*; the Court of Directors having, in their letter of the 15th December 1775, approved of keeping the ſame in his ſervice, " *provided it was done* " *with the free conſent of the Soubah, and by no means* " *without it.*" And the *new brigade*, and temporary corps, were raiſed on the expreſs condition that the expence thereof ſhould be charged on the Nabob only " *for ſo long a time as he ſhould require the corps for his* " *ſervice.*" And the Court of Directors expreſs to the Governor General and Council their ſenſe of the ſaid agreement in the following terms: " But if you intend " to exert your influence, firſt to induce the Vizier to " acquieſce in your propoſal, and afterwards *to compel* " *him to keep the troops in his pay during your pleaſure,* " *your intents are unjuſt; and a correſpondent conduct* " *would reflect great diſhonour on the Company.*"

VII.

That in anſwer to the decent and humble repreſentation aforeſaid of the Nabob of Oude, the allegations of which, ſo far as they relate to the diſtreſſed ſtate of the Nabob's finances, and his total inability to diſcharge the demands made on him, were confirmed by the teſtimony of the Engliſh Reſident at Oude, and which

the ſaid Haſtings did not deny, in the whole or in any part thereof, he, the ſaid Warren Haſtings, did, on pretence of certain political dangers, declare the relief deſired, to be "without heſitation *totally* inadmiſſible;" and did falſely and maliciouſly inſinuate, "that the "*tone* in which the demands of the Nabob were aſ-"ſerted, and the ſeaſon in which they were made, did "give cauſe for *the moſt alarming ſuſpicions*." And the ſaid Warren Haſtings did, in a letter to the Nabob aforeſaid, written in haughty and inſolent language, and without taking any notice of the diſtreſſes of the ſaid Nabob, alledged and verified as before recited, "require and inſiſt upon your [the Nabob's] granting "tuncaws [aſſignments] for the full amount of their "[the Company's] demands upon you for the current "year, and on your reſerving funds ſufficient to anſwer "them, *even ſhould the deficiencies of your revenues com-"pel you to leave your own troops unprovided for, or to diſ-"band a part of them, to enable you to effect it.*"

VIII.

That in a letter, written at the ſame time to the Reſident Purling, and intended for his directions in enforcing on the Nabob the unjuſt demands aforeſaid, the ſaid Warren Haſtings hath aſſerted, in direct contradiction to the treaties ſubſiſting between the ſaid Nabob and the Company, "that he [the Nabob] ſtands en-"gaged to our Government to maintain the Engliſh "armies, which, at his own requeſt, have been formed "for the protection of his dominions; and *that it is "our part, and not his, to judge and determine in what "manner and at what time theſe ſhall be reduced and with-"drawn.*" And in a minute of conſultation, when the aforeſaid meaſure was propoſed by the ſaid Haſtings to the Supreme Council, he did affirm and maintain, that the troops aforeſaid "had now no *ſeparate* or diſtinct "exiſtence from ours, and may be properly ſaid to "conſiſt of our *whole* military eſtabliſhment, with the "exception only of our European infantry; and that "they could not be withdrawn without impſiong on

"the

" the Company *the additional burden of them*, or dif-
" banding nine battalions of difciplined fepoys, and
" three regiments of horfe."

IX.

That in the minute of confultation aforefaid, he, the faid Warren Haftings, hath farther, in juftification of the violent and arbitrary proceedings aforefaid, afferted, " that the arrangement of meafures between the Bri-" tifh Government and their allies, the native powers " of India, muft, in cafe of difagreement about the " neceffity thereof, *be decided by the ftrongeft*;" and hath thereby advanced a dangerous and moft indecently-ex-preffed pofition, fubverfive of the rights of allies, and tending to breed war and confufion, inftead of cordia-lity and co-operation amongft them, and to deftroy all confidence of the Princes of India in the faith and juf-tice of the Englifh nation: and the faid Haftings having farther, in the minute aforefaid, prefumed to threaten to " bring to punifhment, if my influence " [his the faid Haftings's influence] can produce " that effect, *thofe incendiaries* who have endeavour-" ed to make themfelves the inftruments of divi-" fion between us," hath, as far as in him lay, ob-ftructed the performance of one of the moft effential duties of a Prince, engaged in an unequal alliance with a prefiding ftate—that of reprefenting the grievances of his fubjects to that more powerful ftate, by whofe acts they fuffer; leaving thereby the governing power in total ignorance of the effects of its own meafures, and to the oppreffed people no other choice than the alternative of an unqualified fubmiffion, or a refiftance productive of confequences more fatal.

X.

That all relief being denied to the Nabob, in the manner and on the grounds aforefaid, the demands of the Company on the faid Nabob in the year following, that is to fay, in the year 1780, did amount to the enormous

enormous ſum of 1,400,000l. ſterling, and the diſtreſs of the province did rapidly increaſe.

XI.

That the Nabob, on the 24th of February of the ſame year, did again write to the Governor General, the ſaid Warren Haſtings, a letter, in which he expreſſed his conſtant friendſhip to the Company, and his ſubmiſſion and obedience to their orders; and aſſerting, that he had not troubled them with any of his difficulties, truſting they would learn them from other quarters, and that he ſhould be relieved by their friendſhip: "But [he ſays] when the *knife had penetrated to* "*the bone,* and I was ſurrounded with ſuch heavy diſ-"treſſes, that I could no longer live in expectations, "I then wrote an account of my difficulties. The "anſwer I have received to it is ſuch, that it has "given me inexpreſſible grief and affliction. I never "had the leaſt idea or expectation from you and the "Council, that you would have given your orders in "*ſo afflicting a manner, in which you never before wrote,* "*and I could never have imagined.* I have delivered up "all my *private* papers to him, [the Reſident] that af-"ter examining my receipts and expences, he may "take whatever remains. That as I know it to be my "duty to ſatisfy you, [the Company and Council] I "have not failed to obey in any inſtance; but re-"queſted of him, that it might be done ſo as not to "diſtreſs me in my *neceſſary* expences. There being "no other funds but thoſe for the expences of my "mutſeddies [clerks and accountants] houſehold ex-"pences, and ſervants, &c. he demanded theſe in ſuch "a manner, that, being remedileſs, I was obliged to "comply with what he required. He has accordingly "ſtopped *the penſions of my old ſervants for thirty years,* "*whether ſepoys,* [*ſoldiers*] *mutſeddies* [*ſecretaries and* "*accountants*] *or houſehold ſervants, and the expences of* "*my family and kitchen, together with the jaghires of my* "*grandmother, mother, and aunts, and of my brothers and* "*dependants, which were for their ſupport.*"

XII. That

XII.

That in anſwer to the letter aforeſaid, the Reſident received from the ſaid Warren Haſtings and Council an order to perſevere in the demand to its fulleſt extent, that is to ſay, to the amount of 1,400,000l. ſterling.

XIII.

That on the 15th of May the Nabob replied, complaining, in an humble and ſuppliant manner, of his diſtreſſed ſituation; that he had at firſt oppoſed the aſſigning to the uſe of the Company the eſtates of his mother, of his grandmother, of one of his uncles, and of the ſons of another; but that, in obedience to the injunctions of the gentlemen of the Council, it had been done, to the amount, on the whole, of 80,000l. ſterling a year, or thereabouts: that whatever effects were in the country, with even his table, his animals, and the ſalaries of his ſervants, were granted in aſſignments: that beſides theſe, if they were reſolved again to compel him to give up the eſtates of his parents and relations, which were granted them for their maintenance, they were at the Company's diſpoſal; ſaying, "If the Council have directed you to attach them, do "it: in the country no farther ſources remain. I have "no means; for I have not a ſubſiſtence.—How long "ſhall I dwell upon my misfortunes?"

XIV.

That the truth of the ſaid remonſtrances was not diſputed, nor the *tone* in which they were written complained of, the ſame being ſubmiſſive, and even abject, though the cauſe (his diſtreſſes) was by the ſaid Haſtings, in a great degree, and in terms the moſt offenſive, attributed to the Nabob himſelf; but no relief was given, and the ſame unwarrantable eſtabliſhments were maintained, and the ſame ruinous expences were kept up.

XV. That

XV.

That the ſaid Warren Haſtings having conſidered as incendiaries thoſe who adviſed the remonſtrances aforeſaid, and to prevent the ſame in future, having denounced vengeance on thoſe concerned therein, did, for the purpoſe of keeping in his own power all repreſentations of the ſtate of the court and country aforeſaid, and to ſubject both the one and the other to his own arbitrary will, and to draw to himſelf and to his creatures the management of the Nabob's revenues, in defiance of the orders of the Court of Directors, a ſecond time recall Mr. Briſtow, the Company's Reſident, from the Court of Oude; having once before recalled him, as the ſaid Directors expreſs themſelves, "without the ſhadow of a charge being exhibited againſt him;" and having, on the occaſion and time now ſtated, produced no ſpecific charge againſt the ſaid Reſident;—and he, the ſaid Haſtings, did appoint Nathaniel Middleton, Eſq. to ſucceed him, it being his declared principle, that he muſt have a perſon of *his own* confidence in that ſituation.

XVI.

That the ſaid Warren Haſtings, after he had refuſed all relief to the diſtreſſes of the Nabob, in the manner aforeſaid, and had deſcribed thoſe who adviſed the repreſentation of the grievances of Oude as *incendiaries*, did himſelf, in a minute of the 21ſt of May 1781, deſcribe that province "as fallen into a ſtate of great diſorder and confuſion, and its reſources in an extraordinary degree diminiſhed;" and did ſtate, that his preſence in the ſaid province was requeſted by the Nabob; and that unleſs ſome effectual meaſures were taken for his relief, he [the Nabob] muſt be under the neceſſity of leaving his country, and coming down to Calcutta, to repreſent the ſituation of his government. And Mr. Wheler did declare, that the Governor General's repreſentation of the ſtate of that province "was but too well founded; and was convinced that it would require his utmoſt abilities and powers, applied and "exerciſed

" exercised on the spot, to restore it to its former good
" order and affluence."

XVII.

That the said Warren Hastings, in consequence of the minute aforesaid, did grant to himself, and did procure the consent of his only colleague, Edward Wheler, Esq. to a commission or delegation, with powers "to assist the Nabob Vizier in forming such regulations as may be necessary for the peace and good order of his government, the improvement of his revenue, and the adjustment of the mutual concerns subsisting between him and the Company."—And in the said commission or delegation, he, the said Warren Hastings, did cause to be inserted certain powers and provisions, of a new and dangerous nature, (that is to say) reciting the business before mentioned, he did convey to himself "such authority to enforce the same, *as the Governor General and Council might or could exercise, on occasions in which they could be warranted to exercise the same*; and to form and conclude such several engagements or treaties with the Nabob Vizier, the Government of Barar, and with any chiefs or powers of Hindostan, as *he* should judge expedient or necessary." Towards the conclusion of the act or instrument aforesaid are the words following; viz. "It is hereby declared, that all such acts, and all such engagements or treaties aforesaid, shall be binding on the Governor General and Council in the same manner, *and as effectually, as if they had been done and passed by the specific and immediate concurrence and actual junction of the Governor General and Council, in council assembled.*" And the said powers were, by the said Warren Hastings, given by himself and the said Wheler, under the seal of the Company, on the 3d July 1781.

XVIII.

That the said commission, delegating to him, the said Warren Hastings, the whole functions of the Council, is destructive to the constitution thereof, and is

contrary to the Company's ſtanding orders, and is illegal.

XIX.

That in virtue of thoſe powers, and the illegal delegation aforeſaid, the ſaid Warren Haſtings, after he had finiſhed his buſineſs at Benares, did procure a meeting with the Nabob of Oude, at a place called Chunar, upon the confines of the country of Benares, and did there enter into a treaty, or pretended treaty, with the ſaid Nabob; one part of which the ſaid Warren Haſtings did pretend was drawn up from a ſeries of requiſitions preſented to him by the Nabob, but which requiſitions, or any copy thereof, or of any other material document relative thereto, he did not at the time tranſmit to the Preſidency; the ſaid Warren Haſtings informing Mr. Wheler, that the Reſident, Middleton, had taken the *authentic* papers relative to this tranſaction with him to Lucknow: and it does not appear that the ſaid Warren Haſtings did ever reclaim the ſaid papers, in order to record them at the Preſidency, to be tranſmitted to the Court of Directors, as it was his duty to do.

XX.

That the purport of certain articles of the ſaid treaty, on the part of the Company, was, that in conſideration of the Nabob's *inability* (which inability the preamble of the treaty aſſerts to have been "repeatedly "and urgently repreſented,") to ſupport the expences of the temporary brigade, and of three regiments of cavalry, and alſo of the Britiſh officers, with their battalions, and of *other* gentlemen, who were then paid by him, the ſeveral corps aforeſaid, and the other gentlemen (with the exception of the Reſident's office, *then on the Nabob's liſt*, and a regiment of ſepoys for the Reſident's guard) ſhould, after a term of two and a half months, be no longer at his [the Nabob's] charge.— "The true meaning of this being, that no more troops "than one brigade, and the pay and allowances of a "regiment of ſepoys," (as aforeſaid to the Reſident) amounting in the whole to 342,000l. a year, ſhould be paid

paid by the Nabob. And that *no officers, troops, or others, ſhould be put upon the Nabob's eſtabliſhment*, excluſive of thoſe in the ſaid treaty ſtipulated.

XXI.

That the ſaid Warren Haſtings did defend and juſtify the ſaid articles, in which the troops aforeſaid were to be removed from the Nabob's eſtabliſhment, by declaring as follows: "That the *actual* diſburſements to "thoſe troops had fallen upon *our own funds*, and that "*we* ſupport a body of troops, eſtabliſhed *ſolely* for the "defence of the Nabob's poſſeſſions, *at our own ex-* "*pence*. It is true, we charge the Nabob with this "expence; but the large balance already due from "him ſhews too juſtly the little proſpect there was of "diſengaging ourſelves *from a burden* which was daily "adding to *our* diſtreſſes, and muſt ſoon become *inſup-* "*portable*, although it were granted that the Nabob's "debt, then ſuffered to accumulate, *might at ſome fu-* "*ture period be liquidated*; and that this meaſure would "ſubſtantially effect an inſtant relief to the pecuniary "diſtreſſes of the Company."

XXII.

That Nathaniel Middleton, the Reſident, did alſo declare, that he would at all times teſtify, "that upon "the plan of the foregoing years, the receipts from "the Nabob were only a *deception*, and *not an advan-* "*tage*, but *an injury* to the Company;" and "that a "remiſſion to the Nabob, of this *inſufferable burden*, "was a *profit* to the Company." And the ſaid Haſtings did aſſert, that the force of the Company was not leſſened by withdrawing the temporary troops; although (when it ſuited the purpoſe of the ſaid Haſtings, in denying juſt relief to the diſtreſſes of the ſaid Nabob of Oude) he had not ſcrupled to aſſert the direct contrary of the poſitions by him maintained in juſtification of the treaty of Chunar, having, in his minute aforeſaid, of the 15th of December 1779, aſſerted, "that theſe troops" [the troops maintained by

 the

the Nabob of Oude] "had no *ſeparate or diſtinct exiſtence*, and may be properly ſaid to conſiſt of our "whole military eſtabliſhment, with the exception "only of our European infantry; and that they could "not be *withdrawn, without impoſing on the Company* "*the additional burden of their expence*, or diſbanding "nine battalions of diſciplined ſepoys, and three regi- "ments of horſe."

XXIII.

That he, the ſaid Warren Haſtings, in juſtification of his agreement to withdraw the troops aforeſaid from the territories and pay of the Nabob of Oude, did farther declare, "that he had been too much accuſtomed "to the tales of hoſtile preparation, and impending in- "vaſions, againſt all the evidence of political probabi- "lity, to regard them as any other than phantoms, raiſed "for the purpoſe of perpetuating or multiplying com- "mands;" and he did truſt "all ideas of danger from "the neighbouring powers was altogether viſionary; "and that, even if they had been better founded, this "mode of anticipating poſſible evils would be more "miſchievous than any thing they had reaſon to ap- "prehend," and that the internal ſtate of the Nabob's dominions did not require the continuance of the ſaid troops; and that the Nabob, "*whoſe concern it was, and* "*not ours*," did affirm the ſame, notwithſtanding he the ſaid Haſtings had before, in anſwer to the humble ſupplications of the Nabob, aſſerted, that "*it was our* "*part, and not his*, to judge and determine in what "manner, and at what time, they ſhould be reduced or "withdrawn."

XXIV.

That the ſaid Warren Haſtings, in ſupport of his meaſure of withdrawing the ſaid brigade, and other troops, did alſo repreſent, that "the remote ſtations of "thoſe troops, placing the commanding officers be- "yond the notice and control of the Board, afforded "too much opportunity and temptation for unwar-

"rantable emoluments, and excited the *contagion of* "*peculation and rapacity throughout the whole army*; and "as an inſtance thereof, that a Court Martial, compoſed "of officers of rank and reſpectable characters, unani-"mouſly and honourably, 'moſt honourably,' ac-"quitted an officer upon an acknowledged fact, which "in times of ſtricter diſcipline would have been "deemed a crime deſerving the ſevereſt puniſhment."

XXV.

That the ſaid Warren Haſtings having in the letter aforeſaid contradicted all the grounds and reaſons by him aſſigned for keeping up the aforeſaid eſtabliſhment, and having declared his own conviction, that the whole was a fallacy and impoſition, and a detriment to the Company inſtead of a benefit, circumſtances (if they are true) which he might and ought to have well known, was guilty of an high crime and miſdemeanor, in carrying on the impoſture and deluſion aforeſaid, and in continuing an inſupportable burden and grievance upon the Nabob for ſeveral years, without attending to his repeated ſupplications to be relieved therefrom, to the utter ruin of his country, and to the deſtruction of the diſcipline of the Britiſh troops, by diffuſing among them a general ſpirit of peculation; and the ſaid Haſtings hath committed a grievous offence in upholding the ſame pernicious ſyſtem, until by his own confeſſion and declaration, in his minute of the 21ſt of May 1781, "the evils had *grown* to ſo great an height, that exer-"tions will be required more powerful than can be "made through the delegated authority of the ſer-"vants of the Company now in the province; and "that he was far from ſanguine in his expectations, "that *even his own endeavours would be attended with* "*much ſucceſs.*"

XXVI.

That at the time of making the ſaid treaty, and at the time when, under colour of the diſtreſs of the Nabob of Oude, and the failure of all other means for his

his relief, he the ſaid Haſtings broke the Company's faith with the parents of the Nabob, and firſt encouraged, and afterwards compelled him to deſpoil them of their landed eſtates, money, jewels, and houſehold goods; and while the ſaid Nabob continued heavily in debt to the Company, he the ſaid Warren Haſtings did, "*without heſitation*;" accept of, and receive from, the Nabob of Oude, and his miniſters, (who are notoriouſly known to be not only under his influence, but under his abſolute command) a bribe, or unlawful gift or preſent, of one hundred thouſand pounds ſterling, and upwards:—That even if the ſaid pretended gift could be ſuppoſed to be voluntary, it was contrary to the expreſs proviſion of the regulating act of the 13th year of His Majeſty's reign, prohibiting the receipt of all preſents upon any pretence whatſoever, and contrary to his own ſenſe of the true intent and meaning of the ſaid act, declared upon a ſimilar, but not ſo ſtrong a caſe; that is, where the ſervice done, and the preſent offered in return for it, had taken place before the promulgation of the above laws in India; on that occaſion he declared, "that the excluſion, by an act of Parliament, "*admitted of no abatement or evaſion*, wherever its au-"thority extended."

XXVII.

That the ſaid Warren Haſtings, confiding in an intereſt which he ſuppoſed himſelf to have formed in the Eaſt-India houſe, did endeavour to prevail on the Court of Directors to violate the ſaid act, and to ſuffer him to appropriate the money, ſo illegally accepted by him, to his own profit, as a reward for his ſervices.

XXVIII.

That the ſaid Warren Haſtings has ſince declared to the Court of Directors, that when *fortune* threw a *ſum in his way* (meaning the ſum of money above mentioned) *of a magnitude which could not be concealed, he choſe to apprize his employers of it*; thereby confeſſing, that but for the magnitude of the ſame rendering it dif-

ficult

ficult to be concealed, he never would have discovered it to them. And the said unlawful present being received at the time when, for reasons directly contradictory of all his former recorded declarations, he did agree to remove the aforesaid troops from the Nabob's dominions, and to recall the pensioners aforesaid, it must be presumed, that he did not agree to give the relief (which he had before so obstinately refused) upon the grounds and motives of justice, policy, or humanity, but in consideration of the sum of money aforesaid, which in a time of such extreme distress in the Nabob's affairs could not be rationally given, except for those and other concessions, stipulated for in the said treaty, but which had on former occasions been refused.

XXIX.

That notwithstanding his the said Warren Hastings's receipt of the present of 100,000l. as aforesaid, he did violate every one of the stipulations of the said treaty; and particularly he did continue in the country, and in the service of the Nabob of Oude, those troops which he had so recently stipulated to withdraw from his country, and to take from his establishment; for upon the 24th of December following, he did order the temporary brigade, making ten battalions of 500 men each, to be again put on the Vizier's list; although he had recently informed the Court of Directors, through Edward Wheler, Esquire, that any benefit to be derived from the Nabob's paying that brigade, was a *fallacy and a deception*, and that the same was a *charge* upon the Company, and not an *alleviation of its distresses*, as well as an *insupportable burden* to the Nabob. Thus having, within a short space of time, twice contradicted himself, both in declaration and in conduct.

XXX.

That this measure, in direct violation of a treaty of not three months duration, was so injudicious, that, in the opinion of the assistant resident, Johnson, "nothing "less than blows could effect it." He the said resident farther

farther adding, " that the Nabob was not even able to
" pay off the arrears ſtill due to it [the new brigade];
" and that the troops being *all* in arrears, and no poſſi-
" bility of preſent payment, ſo large a body aſſem-
" bled here, [viz. at Lucknow] without any means to
" check and control them, nothing but diſorder could
" follow. As one proof that the Nabob is as badly off
" for funds as we are, I may inform you, that his ca-
" valry roſe this day upon him, and went all armed to
" the palace, to demand from thirteen to eighteen
" months arrears, and were with great difficulty per-
" ſuaded to retire, which was probably more effected
" by a body of troops getting under arms to go againſt
" them, than any other conſideration." But the letter of Warren Haſtings, Eſquire, of the 24th of December, giving the above orders for the infraction of the treaty, and to which the letter, from whence the foregoing extracts are taken, is an anſwer, doth not appear, any otherwiſe than as the ſame is recited in the ſaid anſwer.

XXXI.

That, notwithſtanding the diſorders and deficiencies in the revenue aforeſaid had continued and increaſed, and that three very large balances had accumulated, the ſaid Warren Haſtings did cauſe the treaſury accounts at Calcutta to be examined and ſcrutinized, and an account of another arrear, compoſed of various articles, pretended to have accumulated during ſeven years previous to the year 1779, (the articles compoſing which, if they had been juſt, ought to have been charged at the times they ſeverally became due) was ſent to the reſident, and payment thereof demanded, to the amount of 260,000l. ſterling; which unexpected demand, in ſo diſtreſſed a ſituation, did not a little embarraſs the Nabob. But whilſt he and his miniſters were examining into the ſaid unexpected demand, another, and fifth balance, made up of ſimilar forgotten articles, was demanded to the amount of 140,000l. ſterling more: which ſaid two laſt demands did ſo terrify and confound the Nabob

bob and his minifters, that they declared that the refident "might at once take the country, fince juftice "was out of the queftion."

XXXII.

That the faid Haftings, in order to add to the confufion, perplexity, and diftrefs of the Nabob's affairs, did fend to his Court (in which he had already a refident and affiftant refident) two fecret agents, Major Palmer and Major Davy, and did inftruct Major Palmer to make a variety of new claims, one of a loan to the Company of 600,000l. fterling, although he well knew the Nabob was himfelf heavily in arrear to the Company, and was utterly unable to difcharge the fame, as well as in arrear to his own troops and to many individuals, and that he borrowed (when he could at all borrow) at an intereft of near thirty per cent. To this demand was added a new bribe or unlawful prefent to himfelf, to the amount of 100,000l. fterling, which he did not refufe as unlawful, and of evil example, but as *indelicate* in the Nabob's prefent fituation; and did, as if the fame was his own property, prefume to difpofe of it, and to defire the transfer of it, as of his own bounty, to the Company his mafters. To this fecond demand, he the faid Haftings added a third demand, of 120,000l. fterling, for four additional regiments on the Nabob's lift, after he had folemnly engaged to take off the ten with which it had been burdened; the whole of the claims, through his private agent aforefaid, making the fum of 820,000l. fterling.

XXXIII.

That the demands, claims, &c. made by the faid Warren Haftings upon the Government of Oude, in that year, amounted to the enormous fum of 2,530,000l. fterling, which (joined to the arrears to troops, and fome internal failures, amounting to 255,000l. fterling more) the whole charge arofe to 2,785,000l. fterling, which was confiderably more than double the net produce of the Nabob's revenue, the fame only amounting

to 1,450,000l. "nominal revenue, never completely "realized."

XXXIV.

That, towards providing for these extravagant demands, he the said Warren Hastings did direct and authorize another breach of the public faith, given in the treaty of Chunar. For whereas, by the second article of the treaty aforesaid, it was left to the Nabob's discretion, whether or not he should resume the landed estates, called Jaghires, within his dominions; and notwithstanding the said Hastings, in defence of the said article, did declare, that the Nabob should be left to the exercise of his own authority and pleasure respecting them, yet he the said Hastings did authorize a violent compulsion to be used towards the said Nabob, for accomplishing an universal confiscation of that species of landed property; and in so doing he did also compel the Nabob to break his faith with all the landholders of that description, not only in violating the assurance of his own original grants, but his assurance recently given, when being pressed by the Company, he [the Nabob] had made a temporary seizure of the profits of the lands aforesaid, in the manner of a compulsory loan; for the re-payment of which he gave his bonds and obligations: and although he had at the same time solemnly pledged his faith that he never would again resort to the like oppressive measure, yet he the said Warren Hastings did cause him to be compelled to confiscate the estates of at least sixty-seven of the principal persons of his country, comprehending therein his own nearest relations, and the ancient friends and dependants of his family: the annual value of the said estates thus confiscated, amounting to 435,000l. sterling, or thereabouts, upon an old valuatian, but stated by the resident, Middleton, as being found to yield considerably more.

XXXV.

That the violent and unjust measure aforesaid, subversive of property, utterly destructive of several ancient

cient and confiderable families, and moft difhonourable to the Britifh Government, did produce an univerfal difcontent, and the greateft confufion throughout the whole country; the faid confifcated lands being on this occafion put to rack rents, and the people grievoufly oppreffed. And to prevent a poffibility of redrefs, at leaft for a confiderable time, the faid confifcated eftates were mortgaged (it appearing otherwife impracticable to make an approach towards fatisfying the exorbitant demands of the faid Haftings) for a great fum, to certain ufurious bankers or money dealers at Benares.

XXXVI.

That befides thefe enormous demands, which were in part made for the fupport of feveral corps of troops under Britifh officers, which, by the treaty of Chunar, ought to have been removed, very large extra charges, not belonging to the military lift of the faid Nabob, and feveral civil charges and penfions were continued, and others newly put on, fince the treaty of Chunar; namely, an allowance to Sir Eyre Coote of 15,554 rupees per month, (being upwards of 18,664l. fterling a year,) and an allowance to Trevor Wheler, Efquire, of 5000 rupees per month, (or 6,000l. fterling, and upwards, a year,) and the whole of the fettled charges, not of a military nature, to Britifh fubjects, did amount to little lefs than 140,000l. yearly; and if other allowances, not included in the eftimate, were added, would greatly exceed that fum, befides much more which may juftly be fufpected to have been paid, no part whereof had at that time been brought forward to any public account.

XXXVII.

That the commander of one of thefe corps, of whofe burden the faid Nabob did complain, was Lieutenant-Colonel Alexander Hannay, who did farm the revenues of certain diftricts, called Baraitch and Gorachpore, which the faid Haftings, in the 9th article of his inftructions to Mr. Briftow, did eftimate at 23 lacks of

rupees, or 230,000l. per annum; but under his, the ſaid Hannay's management, the collections did very greatly decline; complaints were made that the countries aforeſaid were harraſſed and oppreſſed, and the ſame did fall into confuſion; and at laſt the inhabitants broke out into a general rebellion.

XXXVIII.

That the far greater part of the ſaid heavy liſt was authorized or ordered by him the ſaid Warren Haſtings, for the purpoſe of extending his own corrupt influence. For it doth appear, that at the time when he did pretend, in conformity to the treaty of Chunar aforeſaid, to remove the Company's ſervants, "*civil* "and military, from the court and ſervice of the "Vizier," he did aſſert, that he thereby did "diminiſh "his *own influence*, as well as that of his colleagues, by "narrowing the line of *patronage*;" which proves, that the offices, penſions, and other emoluments aforeſaid, in Oude, were of *his* patronage, as his patronage could not be diminiſhed by taking away the ſaid offices, &c. unleſs the ſame had been ſubſtantially of his gift; and he did, at the time of the pretended reformation aforeſaid, expreſs both his knowledge of the exiſtence of the ſaid exceſſive and abuſive eſtabliſhments, and his ſenſe of his duty in taking them away; for in agreeing to the article in the treaty of Chunar, for aboliſhing the ſaid eſtabliſhments, he did declare himſelf "actuated "ſolely by motives of *juſtice* to the Nabob, and a re- "gard to the *honour of our national character*;" and, according to his own repreſentation, the ſaid ſervants of the Company, civil and military, "by their num- "bers, their influence, and the *enormous amount* of their "ſalaries, penſions, and emoluments, were an *intoler- "able* burden on the revenues and authority of the "Vizier; and expoſed us to the *envy and reſentment of "the whole country*, by excluding the native ſervants "and adherents of the Vizier from the rewards of their "ſervices and attachment."

That

XXXIX.

That the revenue of the country being anticipated, mortgaged, and dilapidated by the counfel, concurrence, connivance, and influence, and often by the direct order of the faid Warren Haftings, the whole civil government, magiftracy, and adminiftration of juftice, gradually declined, and at length totally ceafed, through the whole of the vaft provinces which compofe the territory of Oude; and no power was vifible therein, but that of the farmers of the revenue, attended by bodies of troops to enforce the collections; infomuch that robberies, affaffinations, and acts of every defcription of outrage and violence, were perpetrated with impunity; and even in the capital city of Lucknow, the feat of the fovereign power, there was no court of juftice whatever to take cognizance of fuch offences.

XL.

That the faid Warren Haftings, when he did interfere in the government of Oude, was obliged by his duty to interfere for the good purpofes of government, and not merely for the purpofe of extorting money therefrom, and enriching his own dependants; which latter purpofe alone he did effect in the manner before mentioned, but not one of the former. For the faid Haftings having procured the extraordinary powers given by and to himfelf by his delegation of the 3d of July 1781, did declare the fame to be for the purpofe, among many others, "of affifting the Nabob Vizier in "forming fuch regulations as may be neceffary for the "peace and good order of his government, and the improvement of his revenue." And in confequence of the faid powers the faid Warren Haftings did, in the treaty of Chunar, obtain an article from the Nabob, by which the faid Nabob did promife to attend to his advice in the reformation of his civil adminiftration; and he did give certain inftructions to the Refident, Middleton, to which he did require him to yield *the moft implicit obedience*; and did in one article thereof direct him to urge the Nabob to endeavour gradually, if it could

could not be done at once, to eftablbut courts of adawlet [juftice], and that the darogas [chief criminal magiftrates], moulabies [confulting or affiftant lawyers], and other officers, fhould be felected by the minifters, with his, the refident's, concurrence: and afterwards, in his inftructions to the refident, Briftow, defiring him to purfue the fame object, he declared his opinion, "that "the want of fuch courts, and the extreme licentiouf-"nefs occafioned thereby, is one of the moft difrepu-"table defects in his Highnefs the Nabob's govern-"ment. And that while they do not exift, every man "knows the hazard which he incurs in lending his "money." But he did give him, the faid refident, no pofitive inftruction concerning the fame, fuppofing the eftablifhment of fuch courts a matter of difficulty; and did therefore leave him a latitude in his proceedings therein.

XLI.

That the faid Refident Briftow did, however, in conformity to the faid inftructions, at laft given with fuch latitude, endeavour to prevail on the faid minifter gradually to introduce courts of juftice for the cognizance of crimes, by beginning to eftablifh a criminal court under a native Judge, to judge according to the Mahomedan law in the city of Lucknow. But Hyder Beg Khân, a minifter of the faid Warren Haftings's nomination, and folely dependent upon him, did elude and obftruct, and in the end totally defeat the eftablifhment of the fame.

XLII.

That the obftruction aforefaid, and the evil confequences thereof, were duly reprefented to the faid Haftings; and though the faid Haftings had made it the fourth article of a criminal charge againft the Refident Middleton, "that he did not report to the Go-"vernor General, or to the Board, the progrefs which "he had made from time to time in his endeavours to "comply with his inftructions; and that, if he met "with

"with any impediments in the execution of them, he "had omitted to ſtate thoſe impediments, and to apply "for freſh orders upon them;" yet he the ſaid Haſtings did give no manner of ſupport to the Reſident Briſtow againſt the ſaid Hyder Beg Khân, and did not even anſwer ſeveral of his letters, the ſaid Briſtow's letters, ſtating the ſaid impediments, or take any notice of his remonſtrances; but did at length revoke his own inſtructions, declaring that he, the ſaid Reſident, ſhould not preſume to act upon the ſame; and yet did not furniſh him with any others upon which he might act, but did uphold the ſaid Hyder Beg Khân in the obſtruction by him given to the performance of the firſt and fundamental duty of all government; namely, the adminiſtration of juſtice, and the protection of the lives and property of the ſubject againſt wrong and violence.

XLIII.

That the ſaid Haſtings did afterwards proceed to the length of criminating the Reſident Briſtow aforeſaid, for his endeavours to eſtabliſh the ſaid neceſſary court, as an invaſion of the rights of the Nabob's government; when, if the Nabob, in his own proper perſon and character, and not the aforeſaid Hyder Beg (who was a creature of the ſaid Haſtings) had oppoſed the re-eſtabliſhment of juſtice in the ſaid country, it was the duty of the ſaid Haſtings to have preſſed the ſame upon him by every exertion of his influence. And the ſaid Warren Haſtings, in his pretended attention to the Nabob's authority, when exerciſed by his the ſaid Haſtings's Miniſter, to prevent the eſtabliſhment of Courts of juſtice for the protection of life and property, at the ſame time that he did not heſitate, in the caſe of the confiſcation of the Jaghires, and the proceedings againſt the mother and grandmother of the Nabob, totally to ſuperſede his authority, and to force his inclinations in acts which overturned all the laws of property, and offered violence to all the ſentiments of natural affection and duty; and accuſing at the ſame time his inſtruments for not go-

ing to the utmoſt lengths in the execution of his ſaid orders, is guilty of an high crime and miſdemeanor.

XLIV.

That the ſaid Haſtings did highly aggravate his offence, in diſcontinuing and diſcouraging the re-eſtabliſhment of magiſtracy, law, and order, in the country of Oude, inaſmuch as he did in the eighth article of his inſtructions to the Reſident, order him to exerciſe powers which ought to have been exerciſed by lawful magiſtrates, and in a manner agreeable to law. And in the ſaid article he did ſtate the prevalence of rebellion in the ſaid country of Oude, as if rebellion could exiſt in a country in which there was no magiſtracy, and no protection for life or property, and in which the native authority had no force whatever; and in which he himſelf ſtates the exerciſe of Britiſh authority to be an abſolute uſurpation: and he did accordingly direct a rigorous proſecution againſt the offence of rebellion under ſuch circumſtances, but "with a fair and impartial inquiry;" when he did not permit the eſtabliſhment of thoſe courts of juſtice and magiſtracy, by which alone rebellion could be prevented, or a fair and impartial inquiry relative to the ſame could be had. And particularly he did inſtruct the ſaid Reſident to obtain the Nabob's order for employing ſome ſure means for apprehending certain zemindars, and particularly three, in the inſtruction named, whom he the ſaid Haſtings did cauſe, upon what he calls good information, founded upon ſome facts, to which he aſſerts he has the teſtimony of ſeveral witneſſes, "that they had the deſtruction of Colonel Hannay, and the officers under his command, as their immediate object, and ultimately the extirpation of the Engliſh influence and power throughout all the Nabob's dominions;" and that they did ſtill perſevere in their rebellious conduct without deviation, "though the Nabob's, and not our Government, was then the object of it." And he did direct the ſaid Reſident, that if it ſhould appear, "*on*

"*a fair*

" *a fair and regular inquiry*, that their conduct towards " the Nabob had been ſuch as it had been reported " to be, to inſiſt upon the Nabob's puniſhing them " with *death*; and to treat with the ſame rigour every " zemindar, and every ſubject, who ſhall be the leader " in a rebellion againſt his authority."

XLV.

That the crime of the ſaid Haſtings, in his procedure aforeſaid, was farther highly aggravated by his having received information of ſeveral ſtriking circumſtances, which ſtrongly indicated the neceſſity of a regular magiſtracy and a legal judicature, from the total failure of juſtice, affecting not only the ſubjects at large, but even the reigning family itſelf; as alſo of the cauſes why no legal magiſtracy could exiſt, and why the Princes of the reigning family were not only expoſed to the attacks of aſſaſſins, but even to a want of the protection which might be had from their ſervants and attendants, who were driven from their maſters for want of that maintenance which the Princes their maſters could not procure even for themſelves. And the circumſtances aforeſaid were detailed to him the ſaid Haſtings by the Reſident Briſtow, in a letter from Lucknow, dated the 29th January 1784, to the Governor General the ſaid Warren Haſtings, and the Council of Bengal, in the terms following:

" The frequent robberies and murders perpetrated " in his Excellency's the Vizier's dominions have been " *too often* the ſubject of my repreſentations to your " honourable Board. From the total want of police, " hardly a day elapſes but I am informed of ſome " tragical event, whereof the bare recital is ſhocking " to humanity. About two months ſince an attempt " was made to aſſaſſinate Rajah Ticket Roy, the act- " ing Miniſter's confidential agent; but he happily " eſcaped unhurt. Nabob Bahadre, *his Highneſs's* " *brother*, has not been ſo fortunate, as will appear " from tranſlations of two of his letters to me, No. I.

"which I have the honour to encloſe for your infor-
"mation. Although my feelings are ſenſibly hurt,
"and my compaſſion ſtrongly excited by *the diſgrace-*
"*ful and miſerable ſtate of poverty to which his Excel-*
"*lency's brothers are reduced*, yet, ſituated as I am, it
"is not in my power to interfere with effect. My
"efforts on a former occaſion failed of ſucceſs, *and*
"*my interpoſition now would only excite the reſentment of*
"*the Miniſter towards the unhappy ſufferers, in conſe-*
"*quence of their application to me, from whom* ALONE,
"*however, they hope for relief from their preſent diſtreſs*;
"which, their near connection with the Vizier con-
"ſidered, is both ſhameful and unprecedented. That
"no regular courts of juſtice have been eſtabliſhed in
"this country is particularly pointed at in my inſtruc-
"tions as the moſt diſreputable defect in his High-
"neſs's government; yet the Miniſter ſeems deter-
"mined on aboliſhing even the ſhadow of ſo neceſ-
"ſary an inſtitution. The office of Chief Juſtice, as
"held by Molovy Morobine, was ever nugatory; but
"now it is ſunk into the loweſt contempt. The ori-
"ginal eſtabliſhment, inadequate as it was, is moul-
"dering away, and the officers now attached to it are
"literally ſtarving, as no part of their allowance has
"been paid for above ſix months paſt. He himſelf
"has propoſed to reſign his appointment, being every
"way precluded from a poſſibility of exerciſing the
"duties of it."

XLVI.

That it appears by the ſaid letter, and the papers therewith tranſmitted, as well as other documents in the ſaid correſpondence, that in conſequence of the diſtreſs brought upon the Nabob's Finances, certain of the Princes his brethren, the children of Sujah ul Dowlah, the late Sovereign of the country, were put upon penſions unſuitable to their birth and rank, and by the miſmanagement of the Miniſter aforeſaid (appointed by the ſaid Warren Haſtings) for two years together no conſiderable part of the ſaid inadequate penſion was paid; and not being able to maintain the attendants

attendants neceſſary for their protection in a city in which all magiſtracy and juſtice was aboliſhed, they were not only liable to ſuffer the greateſt extremities of penury, but their lives were expoſed to the attempts of Aſſaſſins. The condition of one of the ſaid Princes, called the Nabob Bahadur, being by himſelf ſtrongly expreſſed in three letters to the ſaid Reſident Briſtow, the firſt dated the 28th of December 1783; the ſecond, the 7th of January 1784; and the third, the 15th of January 1784; which letters were duly tranſmitted in the diſpatch of the 29th of the ſame month, to Warren Haſtings, Eſq. and are as follow:

"Your own ſervant carried you the account of what "he himſelf was an eye witneſs to, after the affair of "laſt night. Theſe are the particulars; — About "midnight my aunt received twelve wounds from a "ruffian, of which ſhe died. I alſo received ſix ſuc-"ceſſive ſtabs, which alarmed the people of the houſe, "who ſet up a ſhouting; whereupon the aſſaſſin run "off. Beſides being *without food, or the means of pro-"viding any,* this misfortune has befallen me. *I am "deſirous of ſending the coffin to your door.* It is your "duty, both for the ſake of God and of Chriſt, to "execute juſtice, and to inquire what harm I have "done to the murderer ſufficient to deſerve aſſaſſina-"tion, or even injury. *You now ſtand in the place of "his Excellency the Vizier.* I requeſt you will do me "juſtice. What more can I ſay?

P. S. "I am alſo deſirous to ſhew you my wounds."

From the ſame, 29th January 1784.

"You have been duly informed of all the circum-"ſtances relative to both the murder of the innocent, "and of my being wounded, as well by my former let-"ter, as by the meſſenger whom you ſent to inquire "into the ſtate of my health; and I have every rea-"ſon to hope, from your known kindneſs, that you

" will not be deficient in feeking out the affaffin. *I* " *am at this moment overwhelmed in misfortune. Whilft* " *the blood is flowing from my wounds, neither I, nor my* " *children, nor my fervants, have wherewithal to pro-* " *cure fubfiftence*; nor have I it in my power either to " purchafe remedies, or to reward the phyfician—*'tis* " *for the fake of God alone that he attends me.* Thus " loaded with calamity upon calamity, I am unable " to fupport life, for I find no relief from any afflic- " tion either day or night. Do you now ftand in the " place of my father; grant me frefh life by fpeedy " acts of benevolence.

" For thefe two laft years his Excellency eftablifh- " ed a penfion for me of twenty thoufand rupees; " but I never received the full amount of it, either " laft year or the year before. Should it, however, " be paid me, though inadequate to my defires, I " fhall ftill be enabled to fupport myfelf. From the " beginning of this year to the prefent time I have " not received a farthing, nor do I expect any, " though, if you afford protection to the oppreffed, " all my wifhes will be accomplifhed. I was defirous " of waiting on you with my family, that you might " be an eye witnefs to their condition; but I was ad- " vifed not to ftir out on account of my wounds. " What more can I fay?

The following extracts are made from the third letter from the fame Prince, dated January 15, 1784:

" The particulars of the late and unforefeen mif- " fortune with which I have been overwhelmed, are " not unknown unto you; that the innocent blood of " my aunt, *the prop and ruler of my family*, was fhed, " and, in the fame manner, I too was wounded. Un- " til now I feel the pain and affliction of my wounds; " and *no perfon has regarded my folicitations for redrefs,* " *fought after the affaffin, and brought him to condign pu-* " *nifhment, yourfelf excepted.*"—" In like manner, as " the honourable Governor General has adopted my

" brother,

" brother, Saadut Ally Cawn, for his ſon, and re-
" lieved him from the vexation, affliction, and depen-
" dence of this place, would it be extraordinary that
" you alſo ſhould, in your bounty and favour, conſent
" to adopt me, who do not poſſeſs the neceſſaries of
" life, and permit me to attend you to whatever part
" of the world you may travel, whereby I ſhall at all
" times derive honour and advantage? Formerly us
" three brothers, Saadut Ally, Myrza Jungly, and I,
" the poor and oppreſſed, were, in the preſence of our
" bleſſed father, whoſe ſoul reſts in heaven, treated
" alike. Now the miniſters of this Government put
" me upon a footing with our younger brothers, who
" have lately left the Zennana, and whoſe expences are
" ſmall. On this ſcale, which is in every reſpect in-
" ſufficient for my maintenance, they pay *the pitiful al-*
" *lowance only when it is their pleaſure to do it.* My
" ſituation has for years paſt been increaſing in wretch-
" edneſs, to a degree that *I am in want of daily bread,*
" *and my ſervants and animals are dying of hunger.*
" *My diſtreſſes are ſo great, that I have not been able to*
" *pay a daum to the ſurgeons for the cure of my wounds;*
" *and they too are diſcouraged from affording me their aſ-*
" *ſiſtance, or furniſhing me with medicines.* How then
" is it poſſible for me to exiſt? Conſidering you as my
" patron, participating in my afflictions, I have repre-
" ſented the circumſtances concerning my ſituation;
" and I hope, from your friendſhip, that you will ho-
" nour me with a favourable anſwer."

XLVII.

The Reſident Briſtow did alſo receive a ſtrong application from three others of the brethren of the reigning ſovereign, called Mirza Hyder Ali, Mirza Ennayut Ali, and Mirza Syef Ali, repreſenting their very pitiable caſe, in a letter of the 9th of March 1783, in which, among other particulars, are contained the following:

" Our

"Our ſituation is not fit to be repreſented. *For two* "*years we have not received a hubba* on account of our "tuncaw, [aſſignment on the revenue] though the Mi- "niſters have annually charged a lack of rupees, and "never paid us any thing. *After all, we are the ſons* "*of Sujah ul Dowlah!* It is ſurpriſing, having ſuch a "friend as you, our ſituation is arrived at that paſs, "that we ſhould be in diſtreſs for *dry bread and clothes.* "Whereas you have done many generous acts, be "pleaſed ſo to ſhew us your favour, that, by ſome "means, we may receive our allowances from the "Company's Treaſury, and not be obliged to depend "upon and ſolicit others for it."

XLVIII.

That one of the princes aforeſaid, called the Mirza Jungly, about the beginning of the year 1783, was obliged to fly from the dominions of the Nabob of Oude, and to leave his country and connections; and, as the Reſident Briſtow, writing from Lucknow, hath obſerved, "he went to try his fortune at other Courts, "in preference to ſtarving at home, which might "have been his fate, by all accounts, at this place." And the ſaid Prince ſought for ſuccour at the Court of one of the neighbouring Mahomedan Princes; but, conceiving ſome diſguſt at the treatment he met with there, he departed from thence, and, on the 8th of February 1783, arrived at the Mahratta camp, while David Anderſon, Eſq. was there in the character of Miniſter Plenipotentiary to the Company, with a view, if his reception there ſhould not prove anſwerable to his wiſhes, to paſs on to the ſouthward. And the ſaid Anderſon, probably conſidering this event as of very great importance to the honour of the Britiſh Government, as well as to its intereſt, on the one hand, by exhibiting the ſon and brother of a ſovereign Prince, from whom the Company had received many millions of money, a fugitive from his country, and a wanderer for bread through the Courts of India; and, on the other, the conſequences which might ariſe from the

the Mahrattas having in their poſſeſſion, and under their influence, a ſon of the late Nabob of Oude, did, without delay, adviſe Warren Haſtings, Eſq. of the event aforeſaid; and he did alſo write to Mr. Briſtow, the Reſident at the Court of the Nabob Vizier, ſeveral letters of the 9th and 20th of February, and of the 6th of March, and 6th of April 1783, in order that ſome ſteps ſhould be taken for his return, and eſtabliſhment in his own country. And the ſaid Anderſon did inform the Reſident Briſtow, in his letter aforeſaid, that, on the arrival of the fugitive Prince, brother of the reigning ſovereign of Oude, at the Mahratta camp, he did cauſe his tent to be pitched cloſe to that of Mr. Anderſon; but finding this not agreeable to the Mahratta General, Scindia, he afterwards removed: and that he ſhewed a ſtrong attachment to the Engliſh, and was inclined to throw himſelf upon their generoſity; that he was deſirous of going to Calcutta, and declared, that if he, the ſaid Anderſon, "would give him the "ſmalleſt encouragement, he would quit all his fol- "lowers, and come alone, and would take up his re- "ſidence under his protection." And the ſaid Anderſon did declare, that he thought it "would be policy, "and much to the credit of our Government, that "ſome proviſion ſhould be made for Mirza Jungly in "our territories."

XLIX.

That the ſaid Briſtow did repreſent the aforeſaid circumſtances to Hyder Beg Cawn, Miniſter to the Nabob of Oude, declaring it his opinion, "that his High- "neſs's brothers thus taking refuge with a foreign "Prince is a reflection upon the Vizier; and it would "be adviſeable that an allowance ſhould be granted "to him, upon the footing of his brothers, that he "might remain in the preſence." But the Nabob was induced to refuſe to his brother any offer of any allowance beyond the 200l. per month allowed, but not paid, to his other brothers; and which the ſaid Prince did obſerve to Mr. Anderſon, "that it was not only inade- "quate to his expences, but infinitely leſs (as the truth

"was)

" was) than what his Excellency has ſettled on many " perſons of inferior rank, who have not ſo good a " claim to his ſupport; and that it would not be ſuffi- " cient to enable him to live at Lucknow, where all " his friends and relations were, and ſo many of his " inferiors lived in a ſtate of affluence." In caſe, therefore, it could not be increaſed, he requeſted leave to live in the Company's provinces, or at Calcutta; for that, in any of theſe ſituations, " he could with " leſs difficulty regulate his expences." And he did declare, that if his requeſt was granted to him, he would immediately quit all his proſpects with Scindia. To theſe propoſitions he received a very diſcouraging anſwer from his brother's Miniſter, containing a poſitive and final refuſal of any increaſe of allowance, obtaining only the Nabob's permiſſion to retire into the Company's provinces: but Mr. Anderſon did not think himſelf authoriſed to take any ſteps for the Prince's retreat into the ſaid province, without Scindia's concurrence, who, he obſerved, would uſe every art to detain him; and accordingly did offer him the command of a battalion of infantry, to be paid directly from his own Treaſury, and 6000l. ſterling a year for keeping up a corps of horſe, and to ſettle upon him a landed eſtate of 4000l. a year as a proviſion for his wife and children; which honourable offers, it appears, he did accept, and did and doth remain in the Mahratta ſervice.

L.

That, during the whole courſe of this tranſaction, the ſaid Warren Haſtings was duly adviſed thereof, firſt by a very early letter from the ſaid Anderſon, and afterwards by the Reſident Briſtow, who, on the 23d of April 1783, tranſmitted to him his whole correſpondence with Mr. Anderſon; but what anſwer or inſtructions the ſaid Warren Haſtings did give to Mr. Anderſon does not appear, he not having recorded any thing upon that ſubject: but it appears, that, to the Reſident Briſtow, who required to be informed whether the reception of the fugitive Prince aforeſaid in the

the Company's provinces would meet his approbation, he gave no anſwer whatſoever; by which criminal neglect, or worſe, with regard to a brother of an ally of the Company, who ſhewed a ſtrong attachment and preference to the Engliſh nation, and by ſuffering him, without any known effort to prevent it, to attach himſelf to the cauſe and fortunes of the Mahrattas, who he, the ſaid Haſtings, well knew did keep up claims upon ſeveral parts of the dominions of Oude, and had with difficulty been perſuaded to include the Nabob in the treaty of peace, and ſuffered him firſt to languiſh at home in poverty, and then to fly abroad for ſubſiſtence, and afterwards took no ſtep, and countenanced no negotiations for his return from his dangerous place of refuge, at the ſame time that ſeveral of his the ſaid Haſtings's creatures had each of them allowances much more conſiderable than would have ſufficed for the ſatisfaction and comfort of him the ſaid fugitive Prince, was guilty of a high crime and miſdemeanor.

LI.

That the indigent condition before related of the other brothers of the Nabob, was alſo duly tranſmitted to the ſaid Warren Haſtings; but he did never order or direct any ſteps whatſoever to be taken towards the relief of the family of a reigning Prince, who were daily in danger of periſhing by famine, through the effect of his meaſures, and thoſe of a perſon whom he ſupported in power, againſt the will and inclination of the ſaid Prince and his family.

LII.

That the foregoing inſtances of the penury, diſtreſs, diſperſion, and exile of the reigning family, as well as the general diſorder in all the affairs of Oude, did ſtrongly enforce the neceſſity of a proper uſe of the Britiſh influence (the only real Government then exiſting) in the province aforeſaid, for a regulation of the œconomy of the Vizier's Court, as well as for the proper adminiſtration of the public concerns, civil and

military,

military, which were in the greatest disorder; and the said Warren Hastings was under obligation to provide for the same, and did himself understand it to be his duty so to do; and that he was therein warranted by the spirit of the treaty of Chunar, as well as by other universal powers of control, and even of supercession, supposed by him to exist in the relation between the British Government and that of Oude; and accordingly he did, in his instructions to the Resident Middleton, to which he required his most implicit obedience, direct him to an interference in and control upon all the affairs concerning the revenues, the military arrangements, and all the other branches of the Nabob's Government.

LIII.

That, upon his recal of the said Middleton, he, in his instructions to the Resident Bristow, dated the 23d of October 1781, did, at large, set forth the situation of the Court and Government of Oude, the situation and character of the Nabob, of the acting Minister, and of the British Resident at that Court; and did plainly, distinctly, and without reserve, describe the extent of the authority to be exercised by the last of these persons, as well as the unqualified compliance to be expected from the two former. And he did accordingly declare, that "*from the nature of our connection* "*with the Government of Oude*, and from the Nabob's "incapacity, *a necessity will for ever exist*, while we "have the claim of a subsidy upon the resources of "his country, of exercising an influence, and fre-"quently substituting it *ENTIRELY, in the place of* "*an avowed and constitutional authority in the administra-*"*tion of his [the Nabob's] Government*;" and he did farther, in the said instructions, namely, in instruction the fourth, direct the said Resident in the words following:—"I must have recourse to you for the intro-"duction of a *new* system in that Government; nor "can I omit, whilst I express my reliance on you for "that purpose, to repeat the sentiments which I ex-"pressed in the verbal instructions which I gave you "at

"at your departure, *that there can be no medium in the* "*relation between the Reſident and the Miniſter, but ei-* "*ther the Reſident muſt be the ſlave and vaſſal of the Mi-* "*niſter, or the Miniſter at the abſolute diſpoſal of the Re-* "*ſident.*" And he the ſaid Haſtings did ſtate, in the ſame article of the inſtructions aforeſaid, that though the conduct of the ſaid Hyder Beg Khân had been highly reprehenſible, and that he was much diſpleaſed thereat, he would prefer him to any other, on account of his ability and knowledge of buſineſs, with the following proviſo: "If he would ſubmit to hold his of-"fice on ſuch conditions as I require. He exiſts by "his dependence on the influence of our Government. "It muſt be adviſeable to try him by the mode of con-"ciliation; at the ſame time, that, in your *final con-* "*verſation with him*, it will be neceſſary to declare to "him, in the *plaineſt terms*, the footing and condition "on which he ſhall be *permitted* to retain his place; "with the alternative of a diſmiſſion, and a ſcrutiny "into his conduct, if he refuſes it. In the firſt place, "I will not receive from the Nabob, *as his*, letters "dictated by the *ſpirit of oppoſition*; but ſhall conſider "every ſuch attempt *as an inſult on our Government.* "In the ſecond place, I ſhall expect that *nothing* is "done in his official character but with your know-"ledge and participation."

LIV.

That the ſaid Haſtings having deſcribed, in the manner aforeſaid, the relative ſituation of the Reſident and the Miniſter, he did ſtate alſo the relative ſituation of the ſaid Miniſter and his maſter the Nabob, declaring, "that the Miniſter did hold *without control* the unpar-"ticipated and entire adminiſtration, with all the "powers annexed to that government; the *Nabob* "*being, as he ever muſt be in the hands of ſome perſon, a* "*mere cypher in his*" [the Miniſter's.] And having thus ſtated the ſubordination of the Miniſter to the Reſident, and the ſubordination of the Nabob to the Miniſter, he did naturally declare, "that the firſt

"share of the responsibility would rest upon the said "Resident." And he did farther declare, "that the "other conditions did follow distinctly in their places, "because he did *consider the Resident as responsible for "them.*"

LV.

That for the direction of the Resident in the exercise of so critical a trust, wherein all the true and substantial powers of Government were in an inverted relation and proportion to the official and ostensible authorities, and which the said Hastings did suppose the necessity constantly existing for exercising an influence, and frequently for substituting *entirely* the British authority "in the place of the avowed and constitutional "government," he, the said Hastings, did properly leave to the Resident a discretionary power for his deviation from any part of his instructions; interposing a caution for his security and direction, that as much as he could, he would leave the subject free for his (the said Hastings's) correction of it; and would instantly inform him, or the Board, according to the degree of its importance, with his reasons for it.

LVI.

That besides the institution of the Courts of Justice, as before recited, four other principal objections in the reformation of the affairs of Oude, were expressly recommended to the Residents Middleton and Bristow, and must be understood to be the conditions upon which the said Hastings must have meant to have it understood, that the acting Minister of Oude was to hold his employment; namely, the limitation of the Nabob's personal expences; the reduction of the Nabob's troops in number, and the change in arrangement; the appointment of proper collectors for the revenues; and the appointment of proper officers for all parts of the executive administration.

LVII.

That the firſt object, namely, that of the limitation of the Nabob's perſonal expences, and ſeparating them from the public eſtabliſhments, he, the ſaid Haſtings, did ſtate as the firſt and fundamental part of his regulation, and that upon which all the others would depend; and did declare, " that in order to " prevent the Vizier's alliance from being a clog in- " ſtead of an aid to the Company, that *the moſt eſſential* " part is to *limit* and *ſeparate* his perſonal diſburſe- " ments from the public accounts: *they muſt not ex-* " *ceed* what he has received in any of the laſt three " years." And as to the public treaſury and diſburſements, he the ſaid Haſtings, did, in the ſaid inſtructions, wholly withdraw them from the perſonal management or interference of the Nabob; and did expreſſly order and direct, " that they ſhould be under " the *ſole* management of the Miniſters, with the Re- " ſident's concurrence." And on the appointment of the Reſident Briſtow, in October 1782, he, the ſaid Haſtings, did order and direct him in every point of the inſtructions to Middleton, not revoked or qualified by his then inſtructions, his (the ſaid Reſident Briſtow's) " moſt attentive and literal obedi- " ence."

LVIII.

That the ſaid Reſident Briſtow did, in conſequence of the renewal to him of the ſaid inſtructions as aforeſaid, endeavour to limit and put in order the Nabob's expences; but he was in that particular traverſed and counteracted, and in the end wholly defeated, by the Miniſter, Hyder Beg Khân. And though the obſtructions aforeſaid, agreeably to the inſtructions given to Middleton, and to him the ſaid Briſtow, were repreſented to the ſaid Warren Haſtings, by the Reſident aforeſaid, yet the ſaid Warren Haſtings, did give no kind of ſupport to the ſaid Reſident, or take any ſteps towards enabling him, the ſaid Reſident, to effectuate the

the faid neceffary limitation and diftribution of expences, by himfelf the faid Haftings ordered and prefcribed; nor, if he difapproved the proceedings of the faid Refident, did he give him any inftruction for the forbearance of the fame, or for the exerting his duty in any other mode; nor did he call for any illuftration from him of any thing doubtful in his correfpondence, nor ftate to him any complaint made privately of his conduct, in order to receive thereon an explanation; but he did leave him to purfue, at his difcretion, the extenfive powers before defcribed, to effect the reformation which he was directed to accomplifh, under the refponfibility denounced to him as aforefaid, if he fhould fail therein, as he was fuppofed to be fubftantially invefted with all the powers of Government.

LIX.

That inftead of the faid fupport or inftruction, he, the faid Haftings, did countenance, or more probably caufe or direct a reprefentation to be made to him by the acting Minifter of the Nabob of Oude, complaining grievoufly of the proceedings of the Refident aforefaid, as ufurpations on the Nabob's authority, and indignities on his perfon. And although he, the faid Haftings, did inftruct the Refident Briftow, to inform the faid Hyder Beg Khân, that he would not receive from the Nabob as *his*, letters directed by the fpirit of oppofition, but fhould confider every fuch attempt of his (the Minifter's) as an infult on our Government; yet he did receive, as *his*, the Nabob's own letters, and as written from the impreffions on his own mind, and as the fuggeftions of his own judgement, letters to the fame effect as thofe written by the Minifter, although he had declared upon record, that the faid "Nabob was a mere cypher in his, the faid Minifter's "hands," and "that he had dared to ufe both the "Nabob's name, and even his feal, affixed to letters "either directed to the Nabob, or written as from him "without his knowledge;" and although he did affert

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or record as aforesaid, that in a letter which he had lately received from the Nabob, the Minister had the presumption to make the Nabob declare that which was *true* to be *false*; and that, " his *making use* of the " Nabob in such a manner, did shew how thin the " veil was by which *he* covered *his own acts*; and that " such artifices would only tend to make them the " more criminal, from the *falsehood and duplicity with* " *which they were associated*."

LX.

That the said Hastings did act upon the letters pretended to be written by the Nabob, as well as on those actually written by the Minister, without previously communicating the matter of the said complaint to the said Resident, and did give credit to the same; and coming, as aforesaid, from a person by himself (the said Hastings) charged with artifice, falsehood, and duplicity, and with abusing to his own evil purposes, the name and seal of his master without his knowledge, and without any previous inquiry into the facts and circumstances; and did thereon ground an accusation against the said Resident, Bristow, before the Board at Calcutta, in which he did represent the conduct of the said Bristow, in attempting to limit the household expences of the Nabob, as an indignity " which no man " living, however mean his rank in life, or dependent " his condition in it, would permit to be exercised by " any other, with the want or forfeiture of every " manly principle." And he did farther accuse the said Bristow, for that in his proceedings in the regulation of the Nabob's household, " he should receive " to himself, or Mr. Cowper for him, or a treasurer " for both (for the arrangement has never been well " defined) the money assigned for the support of the " Nabob's household; issue them as he pleased, not to " the Nabob, but to the menial officers of his house- " hold; dispose of his superfluous horses, and other " cattle; determine how many elephants were neces- " sary to the state of the Vizier of the empire; the " number

" number of domeſtics for his attendance; and pry
" into the kitchen, for the purpoſe of aſcertaining the
" quantity of victuals which ought to be dreſſed in it;
" control the accounts of theſe diſburſements; and
" appropriate to his own uſe (for that the conſe-
" quence was inevitable, if he choſe it) the reſidue
" produced by theſe œconomical retrenchments."

LXI.

That the ſaid charge is malicious and inſidious, becauſe the attempt to introduce proper officers for the management of houſehold expences, ſo conſiderable that the ſaid Haſtings has ſtated the allotment for the ſame at 300,000l. ſterling yearly, and that other accounts have carried it to 400,000l. ſterling and upwards; and to keep proper and regular accounts thereof was a neceſſary regulation, and agreeable to the dignity of the Nabob, and by no means a degradation either of his perſon or authority, which was ſpecially provided for in the regulations, as no expence could be incurred but by his own perſonal warrant under his ſign manual; nor doth there appear therein any thing but what is of abſolute neceſſity to prevent embezzlement to his prejudice. And the ſaid Haſtings hath declared, in the 5th article of the inſtructions to the ſaid Reſident, that *no* adminiſtration can be properly conducted without regular offices; and that in the whole province of Oude " there was *not one*, the " *whole* being engroſſed by the Miniſter;" of which Miniſter, in the 14th article, he declares his ſuſpicion, that the Nabob did not receive the whole and punctual payment of the ſum aſſigned for the purpoſe of the houſehold, but that ſome part had been by him withheld from the Nabob; and that from private information he had lately received, he had reaſon to believe, that this was actually the caſe. And the ſaid Haſtings well knew, that the Nabob's houſehold had been ill conducted; that the allowances of his ſervants had not been paid; that his diſtreſs was ſcandalous; and that his neareſt relations were in a famiſhing condition. And the

the ſaid Haſtings did alſo well know, that the houſehold of the Nabob was provided for or neglected, not at his own diſcretion, but at that of the ſaid Hyder Beg Khân; and he did, in the 14th article aforeſaid, inſtruct the Reſident, Briſtow, to ſhew every oſtenſible and external mark of reſpect to the Nabob, in order to induce him to become himſelf the mover of every act neceſſary for the advancing of his own intereſts, and the diſcharge of his debts to the Company; declaring, "that they never could be effected while the "Miniſter retained that aſcendency over him which "he at preſent holds by the means of a nearer and "more private intercourſe, and by affecting to be the "mediator of his rights againſt the claims of our "Government." And the ſaid Haſtings did farther well know, that there was no way of aſcertaining either the payment of the aſſignments for the Nabob's houſehold, for the general purpoſes of their deſtination, or to the particular objects to which they ought to be applied, without regular offices of receipt and of account, which might prevent the ſaid Miniſter, Hyder Beg Khân, or the Britiſh Reſident, or any other, from embezzling or miſapplying the ſame. But the total want of offices aforeſaid in every department of Government, did furniſh occaſion of concealing all frauds, clandeſtine preſents, or penſions to a Governor General, Commander in Chief, or other ſervant of the Company.

LXII.

That the ſaid Warren Haſtings, who did not pretend ſo deep a concern for the indignities ſuppoſed to be ſuffered by the Nabob, merely in the limitation and regulation of unneceſſary expences relative to his kitchen, domeſtics, &c. did ſhew no attention or compaſſion to the ſaid Nabob, when, in the year 1779, the ſaid Nabob repreſented, that the penſions of his old ſervants, for thirty years, the expences of his family and kitchen, together with the jaghires of his grandmother, mother, and aunts, and of his brothers and

dependants, given for their ſupport, were not *regulated*, but *ſtopped*.

LXIII.

That the other articles of regulation, namely, the reform of the troops in number and in arrangement; the appointment of proper collectors for the revenues, and the general conſtitution of offices for the executive adminiſtration, were in like manner totally defeated by the ſaid Hyder Beg Khân. And the ſaid Haſtings did receive a charge from him, and did adopt it as his own, repreſenting the endeavours of the Reſident, to act in the regulations aforeſaid, agreeably to the ſpirit of his inſtructions, and in confidence of the powers veſted in, and the reſponſibility impoſed upon him the ſaid Reſident, as uſurpations of the authority and prerogative of the Nabob; and he, the ſaid Haſtings, did make criminal charges thereon againſt the ſaid Reſident Briſtow, of which charges the Council Board did, on hearing the ſame, and the defence of the ſaid Briſtow, fully acquit him.

LXIV.

That the ſaid Haſtings, by abetting Hyder Beg Khân, a perſon deſcribed by him as aforeſaid, in his oppoſition to all the plans of neceſſary reformation propoſed by the ſaid Haſtings himſelf, and having ſuggeſted no other whatever in lieu thereof, to anſwer the purpoſes for which he had ſtipulated in the treaty of Chunar, the interference of the Reſident in every branch of the Nabob's government did thereby fruſtrate every one of the good ends propoſed by him in the ſaid treaty of Chunar, and did groſſly abuſe his truſt, in giving the exorbitant powers before recited, and aſſerting them to exiſt in the Britiſh Reſident, without ſuffering them, even in appearance, to anſwer any of the proper and juſtifiable ends for which any power or influence can or ought to exiſt in any government.

LXV. That

LXV.

That there is just ground to violently presume, that not only the letters in the name of the Nabob aforesaid, were dictated to him by his Minister, Hyder Beg Khân, in whose hands the said Hastings has described his master to be "a mere cypher, &c." but which Hyder Beg was the known instrument of the said Hastings; but that the conduct and letters of complaint of the said Hyder Beg were, in effect and substance, prescribed and dictated to him by the said Warren Hastings, or his secret agent, Palmer, by his direction; because it is notorious, that the powers of the said Hyder Beg were solely supported by him, the said Hastings, who, according to the state of favour or displeasure in which he stood, hath frequently promised him support, or threatened him with dismission and punishment; and therefore it is not to be thought that he would take so material a step as to oppose the Company's Resident, acting under the instructions of the Governor General and Council, and to accuse him with so much confidence, and in a manner so different from the usual style of supplication on all other occasions employed by that court, if he had not been previously well assured that his writing in that manner would be pleasing to the person upon whom he solely depended for his power, his fortune, and, perhaps, for his life. Secondly, because, when it suited the purposes of the said Hastings on a former occasion, that is, in the year 1784, to remove the Resident Bristow aforesaid from his office, a letter from the Nabob was laid before the Council Board at Calcutta, proposing, that in order to prevent the effects of the said Bristow's application to Europe for redress, that the said Hastings should send him draughts of letters, which he the said Nabob would write in his own name and character, to the King, to His Majesty's Ministers, and to the Court of Directors, expressing himself, in the letter aforesaid, in the words following: viz. "To prevent his [Bristow's] applying to Europe, send me, if *you* think proper, the draughts of letters which *I* may write to

" the King, the Vizier, and the Chiefs of the Compa-
" ny." Thirdly, that though the ſaid Haſtings, and his ſecret agent Palmer, did pretend, and poſitively aſſert, that they had no ſhare in the letters aforeſaid from the Nabob and his Miniſter, there was an original note to the Nabob's letters of accuſation, referring to diſtinct parts and ſpecified numbers of the agent Palmer's ſecret correſpondence with the ſaid Warren Haſtings; and the ſaid letter, with the ſaid reference, was, through inadvertence, laid before the Board.

LXVI.

That the ſaid Warren Haſtings, having thrown the Government of Oude into great confuſion and diſtreſs, thereby prevented the diſcharge of the debt, or pretended debt, to the Company, did, by all the ſaid intrigues, machinations, and charges, aim at the filling the ſaid office of Reſident at Oude with his own dependants, or by himſelf perſonally, as it appears that he did firſt propoſe to place in the ſaid office his ſecret agent Palmer, and that afterwards, when he was not able to ſucceed therein, he did propoſe nominally, to aboliſh the ſaid office, but in effect to fill it by himſelf; propoſing to the Council, and rendering himſelf reſponſible (but not in fortune) for the payment of the Company's debt within a certain given time, if he were permitted and commiſſioned by the Council to act for the Board in that province; and did inform them, that he was privately well aſſured, that in a few days he ſhould receive an invitation to that effect; and he did ſtate, (as in the year 1781 he had ſtated as a reaſon for his former delegation) " That the ſtate of the country
" was ſo diſordered in its revenue and adminiſtration,
" and the credit and influence of the Nabob himſelf
" ſo much ſhook by the *late uſurpation* of his autho-
" rity, and the conteſts which attended it, as to re-
" quire the acceſſion of an extraneous aid to reſtore
" the powers, and to re-animate the conſtitution of his
" government;" although he, the ſaid Haſtings, did for a long time before attribute the weakneſs of his govern-

government to an extraneous interference. And the ſaid Council, on his engagement aforeſaid, did conſent thereto; and he did accordingly receive a commiſſion, enabling him to act in the affairs of Oude, not only as the Reſident might have done, but as largely as the Council General might legally delegate their own powers.

LXVII.

That the ſaid Warren Haſtings, in accepting the ſaid commiſſion, did ſubject his character, and the reputation of his office, to great imputations and ſuſpicions, by taking upon himſelf an inferior office, out of which another had, upon his intrigues, been removed, by a perpetual obſtruction, which rendered it impoſſible for him to perform his duty, or to obey his inſtructions; and he did increaſe the ſaid grounded ſuſpicions, by exerciſing that office in a government from whence it was notorious he had himſelf received an unlawful gift and preſent from the Miniſters, and in which he had notoriouſly ſuffered many, and had himſelf actually directed ſome, acts of peculation, by granting various penſions and emoluments, to the prejudice of the revenue of a diſtreſſed country, which he was not authorized to grant.

LXVIII.

That the ſaid Warren Haſtings did proceed unto the ſaid province of Oude, under colour of providing a remedy for the diſorders deſcribed to be exiſting in the ſame, and for the recovery of the Company's pretended debt. And the ſaid Warren Haſtings, who had thought fit to recall the Company's Reſident, appointed to that office by the Court of Directors, and to ſuſpend his office, did notwithſtanding, of his own choice and ſelection, and on his own mere authority, take with him in his progreſs a large retinue, "and a numerous "ſociety of Engliſh gentlemen, to compoſe his fami-"ly," which he repreſents as neceſſary; although, in a letter from that very place to which he took that very numerous ſociety, he informs the Court of Directors, that

" that his own conſequence, and that of the nation he " repreſents, are independent of ſhew;" and after his arrival there, he, the ſaid Warren Haſtings, did write from Lucknow, the capital of that province, a letter, dated the 30th of April 1784, to the Court of Directors, in which are ſeveral particulars to the following purport or tenor, and which he points out to the Directors " to be circumſtances of no trivial informa" tion;" namely, " that he had found, that the lands " in that province, as well as in ſome parts more im" mediately under the Company, have ſuffered in a " grievous manner, being completely exhauſted of " their natural moiſture by the total failure of one en" tire ſeaſon of the periodical rains," with a few exceptions, which were produced only " by the uncom" mon labour of the huſbandman." And in a letter to Edward Wheler, Eſq. a member of the Council General, from Benares, the 20th of September 1784, he ſays, that " the *public revenues* had declined with the " failure of the cultivation in *three ſucceſſive years*; and " all the ſtores of grain, which the *providence of* the " huſbandman (as he was informed is their *cuſtom*) in " defiance of the *vigilance* of the aumils [collectors] " *clandeſtinely reſerved for their own uſe*, were of courſe " exhauſted, in which ſtate no perſon would accept of " the charge of the collections on a poſitive engage" ment, nor did the rain fall till the 10th of July."— And in another letter, dated from Benares, the 1ſt of October following, he repeats the ſame accounts; and that the " country could not bear farther additions of " expence; that it had *no inlets of trade* to ſupply the " iſſues that were made from it; [the exceptions " ſtated there being inconſiderable] therefore *every ru" pee* which is drawn into your treaſury [the Compa" ny's] from its circulation, will accelerate the period " at which its ability muſt ceaſe *to pay even the ſtipulated " ſubſidy*." Notwithſtanding this ſtate of the country, of which he was well apprized before he left Calcutta, and the poverty and diſtreſs of the Prince having been frequently but, in vain, repreſented to him, in order to induce him to forbear his oppreſſive exactions, he did,

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in order to furnish the Council with a colour for permitting him to recall the Company's Resident, and to exercise the whole powers of the Company in his own person, without any check whatsoever, or witness of his proceedings, except the persons of his own private choice, did make the express and positive engagement aforesaid, which, if understood, of a real and substantial discharge of debt for the relief of the total of the Company's finances, was grossly fallacious; because, at the very time, he must have been perfectly sensible, that in the then state of the revenues and country of Oude, (which are, in effect, the Company's revenues, and the Company's country) the debt, or pretended debt aboresaid, asserted to be about five hundred thousand pounds, or thereabouts, could not be paid without contracting another debt, at an usurious interest, without encroaching on the necessary establishments, or on private property, or on the pay of the army, or without grievous oppression of the country, or all these together. And it doth appear that one hundred thousand pounds, towards the said payments of debts, was borrowed at Calcutta, by the Nabob's agent there, but at what interest is not known. It appears also, that other sums were borrowed for arrear of the interest on which 40,000l. sterling appears in the Company's claims for the current year, and that various deductions were made from the jaghires restored to the Begums, as well as other parts of the Nabob's family; and it did and doth appear, that an arrear is still due to the old and new brigade, but whether the same be growing or not, doth not appear; yet he hath not hesitated to assert, that he had "provided for the *complete* "discharge in *one* year of a debt contracted by the *ac*-"*cumulation of many*, and from a country, whose re-"sources have been wasted and dissipated by three suc-"cessive years of drought, and one of anarchy." But the said Hastings never did even realize the payments to be made in the first year (as he confesses in the said letter) except by an anticipation of the second: and though he states, in his letter aforesaid, the following facts and engagements, that is to say, "*that a recovery*

"*of*

" *of so large a part of your property* [the Company's] " will afford a seasonable and substantial relief to the " necessities of your Government, and enable it (for " such is my confident hope) *to begin on the reduction* " *of your debt at interest* before the conclusion of this " year, (I mean the year of this computation.)" Whereas the said Warren Hastings did apply the whole produce of the revenue to the mere pay of some part of the British army in Oude; and did not mention in his correspondence that he had remitted any money whatsoever to Calcutta, nor to any other place (except the fifty thousand pounds taken from Almas Ali Khân, and said to be remitted to Surat) for the said " sub- " stantial relief," in consequence of the said pretended " recovery of property," admitting that it had been suggested to him, and not by him denied, that he had " disappointed the popular expectation, by not adopt- " ing the policy which he had, *on the conception of bet-* " *ter grounds*, rejected; nor did he begin the reduc- " tion of the interest debt" at the time stated, nor at any time; but the whole (he well knowing the state of the country from whence the resources aforesaid were by him promised) was a premeditated deceit and imposition on the Board of Council, his colleagues, and on the Court of Directors, his masters.

LXIX.

That no traces of regulation appear to have been adopted by the said Warren Hastings, during his residence at Lucknow, in conformity to the spirit and intentions of the treaty of Chunar, or of his instructions to Middleton and Bristow, or of the proposed objects of his own commission. But he did, in lieu thereof, pretend to free the Nabob's Government from the interference of the Company's servants, and the usurpation (as he called it) of a Resident, and thereby to restore it to its proper tone and energy; whereas the measures he took, were such, as to leave no useful or responsible superintendence in the British, and no freedom in the Nabob's Government: for he did confirm the

the ſole, unparticipated, and entire adminiſtration, with all the powers annexed to the Government, on the Miniſter, Hyder Beg Khân, to whom he *prevailed* on the Nabab Vizier, to commit the entire charge of his revenues, although he knew that his maſter was a cypher in his hands; that he "had affixed his ſeal to "letters written without his knowledge, and ſuch as "evidently tended to promote Hyder Beg Khân's in-"fluence and intereſt;" that his ſaid maſter did not conſider him as a miniſter of his choice, but as an inſtrument of his degradation; that "he exiſts as a mi-"niſter by his dependance on the Calcutta Govern-"ment, and that the Nabob himſelf had no other "opinion of him; that it is by its *declared* and moſt "*obvious* ſupport *alone* that he could maintain his au-"thority and influence." And in his inſtructions to his ſecret agent, Major Palmer, dated 6th of May 1782, to eaſe his mind and remove his jealouſy with regard to Britiſh interference, he did inſtruct him "that much "delicacy and caution will be required in your decla-"rations on this ſubject, leſt they ſhould be conſtrued "to extend to an immediate change in the adminiſtra-"tion of his affairs, or the inſtruments of it. Their "perſons muſt be conſidered as *ſacred*, *while* they act "with the *participation of our influence*." This diſtinc-tion the Nabob *underſtands*, nor will it be either neceſ-ſary or proper to allude to it, unleſs he himſelf ſhould firſt introduce the ſubject. And the ſaid Haſtings did aſſume, as to a dependant of the loweſt order, to pre-ſcribe to him the conditions on which he is to hold his place, to threaten him with ſcrutinies into his conduct, with diſmiſſion, with puniſhment; that he was guilty of falſehood and duplicity, and that he had made his maſter aſſert what was true to be falſe; that he ſuſpect-ed he had withheld from his maſter what he ought to have paid to him; that the event of his having *pre-vailed* on the Nabob to entruſt him as aforeſaid, was, according to his, the ſaid Haſtings's, own letter, writ-ten to the ſaid Hyder Beg Khân himſelf, "an accumu-"lation of diſtreſs, debaſement, and diſſatisfaction to "the Nabob, and of diſappointment and diſgrace to

" me. Every meaſure which he had himſelf propoſed, " and to which he had ſolicited my aſſiſtance, has been " ſo conducted, as to give him cauſe of diſpleaſure; " there are no officers eſtabliſhed by which his affairs " could be regularly conducted; mean, incapable, and " indigent men have been appointed Aumils of the " diſtricts, without authority, and without the means " of perſonal protection; ſome of them have been " murdered by the zemindars, and thoſe zemindars, " inſtead of puniſhment, have been permitted to re- " tain their zemindaries with independent authority; " all the other zemindars ſuffered to riſe up in rebel- " lion, and to inſult the authority of the Sircar, with- " out any attempt made to ſuppreſs them; and the " Company's debt, inſtead of being diſcharged by the " aſſignments and extraordinary ſources of money pro- " vided for that purpoſe, is likely to exceed even the " amount at which it ſtood at the time in which the " arrangement with his Excellency was concluded. " *The growth of theſe evils was early made known to me,* " *and their effects foreboded in the ſame order and manner* " *as they have ſince come to paſs.* In ſuch a ſtate of ca- " lamity and diſgrace, I can no longer remain a paſſive " ſpectator; nor would it be becoming to conceal my " ſentiments, or qualify the expreſſion of them. I " now plainly tell you, that you are anſwerable " for every misfortune and defect of the Nabob Vi- " zier's government."—And after giving orders, and expreſſing ſome hopes of better behaviour, he adds, " If I am diſappointed, you will impoſe on me the " painful and humiliating neceſſity of acknowledging " to him, that I have been deceived, and of recom- " mending the examination of your conduct to his juſ- " tice, both for the redreſs of his own and the Com- " pany's grievances, and for the injury ſuſtained by " both in their mutual connection. *Do not reply to me,* " that what I have written is from the ſuggeſtion of " your enemies; nor imagine, that I have induced my- " ſelf to write in ſuch plain and declaratory terms, " without a clear inſight into all the conſequences of " it, and a fixed determination upon them."

LXX. That

LXX.

That the aforefaid being the tenure of the power of the faid Minifter, and fuch his character, as given by the faid Warren Haftings himfelf, who did originally compel the Nabob to receive him, who did conftantly fupport him againft the Nabob his mafter, as well as againft the Company's Refident;—the delivering over to fuch a perfon his mafter, his family, his country, and the care of the Britifh interefts therein, without control or public infpection, was an high crime and mifdemeanor.

LXXI.

That the next perfon whom the faid Haftings did inveft with power in the faid country, was a certain opulent and powerful native, Manager of Revenue, called Almas Ali Khân, clofely connected with the faid Hyder Beg Khân; and to whom the faid Hyder Beg Khân, as the faid Haftings has admitted, "had entrufted the *greateft* part of his revenues, "without any pledge or fecurity for his fidelity." And afterwards the faid Haftings charges the faid Almas Ali with an intention of removing from the Nabob's dominions; he ftates, "as taking with him," and therefore being poffeffed "of an immenfe trea-"fure, the fruits of his embezzlements and oppref-"fions, and an army raifed for its protection."

LXXII.

That the faid Warren Haftings was, or pretended to be, impreffed with the evil character, dangerous defigns, and immoderate power of the faid Almas Ali; that he did infert, among his inftructions to the Refident Briftow, an order of a dangerous and unwarrantable nature, in which, upon his, the faid Haftings's, fimple allegation of offences, not accurately defcribed or fpecified, with regard either to the fact, the nature of the offence, or the proof, to urge the Nabob to put him to death, with many qualifications in the faid inftructions, full of fraud and duplicity, calculated to enfnare the faid Refident Briftow, and to

throw upon him the refponfibility of the conduct of the faid Almas Ali Khân, if he fhould continue at large, contrary to his orders, or to fubject him, the faid Refident, to the fhame and fcandal of apprehending and putting him to death, by means which, in the circumftances, muft neceffarily be fuch as would be conftrued into treachery; and he the faid Almas Ali Khân, being from nature and fituation fufpicious and watchful, and being at that very time in the collection, or farmer of the moft important part of the revenues, with an extenfive jurifdiction annexed, and at the head of fourteen thoufand of his own troops; and having been recently accepted by the Refident Middleton as fecurity for large fums of money advanced by the bankers of Benares to the ufe of the Eaft-India Company; which orders (if the faid Refident would or could have executed them) muft have raifed an univerfal alarm among all the confiderable men of the country concerned in the government, and would have been a means of fubverting the public credit of the Company, by the murder of a perfon engaged for very great fums of money that had been advanced for their ufe.—And the faid inftruction is as followeth:

"If any engagement fhall actually fubfift between "them at the time you have charge of the Refidency, "it muft, however exceptionable, be faithfully ob- "ferved; but if he has been guilty of any criminal "offence to the Nabob, his mafter, for which no im- "munity is provided in the engagement, or he fhall "break any one of the conditions of it, I do moft "ftrictly enjoin you, and it muft be your fpecial "care to endeavour, *either by force or furprife*, to fe- "cure his perfon, and bring him to juftice: by "bringing him to juftice, I mean that you urge the "Nabob, on due conviction, *to punifh him with death*, "as a neceffary example to deter others from the com- "miffion of the like crimes; nor muft you defift till "this is effected. — I cannot prefcribe the means; "but to guard myfelf againft the obloquy to which

"I may

"I may be expofed by a forced mifconftruction of "this order, by thofe who may hereafter be employed "in fearching our records for cavils and informations "againft me, I think it proper to forbid, and proteft "againft the ufe of any *fraudulent artifice of treachery* "*to accomplifh the end which I have prefcribed*; and as "you alone are privy to the order, you will of courfe "obferve the greateft fecrecy that it may not tran-"fpire: but I repeat my recommendation of it, as "one of the firft and moft effential duties of your "office."

LXXIII.

That among the reafons affigned for putting to death the faid Almas Ali, which the faid Haftings did recommend directly and repeatedly to the Refident, "as one of the firft and moft effential duties of his "office," was in fubftance, "that by his extenfive "truft with regard to the revenues, he had been per-"mitted to acquire independency; that the means "thereof had been long feen, and the effects thereof "foretold by every perfon acquainted with the ftate "of Government, except thofe immediately interefted "in it:" and he the faid Warren Haftings did alfo charge the faid Almas Ali with embezzlement of the revenues, and oppreffion of the people, and nothing appears to difprove the fame, but much to give ground to a prefumption, that the faid Almas Ali did grievoufly abufe the power committed to him, as farmer and collector of the revenue, to the great oppreffion of the inhabitants of the countries which had been rented to him by Hyder Beg Khân, with the knowledge and confent of the faid Warren Haftings.

LXXIV.

That the Refident Briftow, declining the violent attempt on the life of Almas Ali, deceitfully ordered by the faid Warren Haftings, did on weighty reafons, drawn from the fpirit of the faid Haftings's own inftructions, recommend that his the faid Almas Ali Khân's farms of revenue, or a great part of them,

ſhould be, on the expiration of his leaſe, taken out of his hands, as being too extenſive, and ſupplying the means of a dangerous power in the country: but yet he the ſaid Warren Haſtings did not only continue him in the poſſeſſion of the ſaid revenues, but did give to him a new leaſe thereof, for the term of five years. And on this renovation and increaſe of truſt the ſaid Warren Haſtings did not conſent or produce the informer, upon whoſe credit he had made his charge of capital crimes on the ſaid Almas Ali, and had directed him to be put to death, or call upon him to make good his charges; but inſtead of this, totally changing his relation to the ſaid Almas Ali, and did himſelf labour to procure from all parts, atteſtations to prove him not guilty of the perfidy and diſloyalty of which the ſaid Haſtings himſelf appears to have been to that very time his ſole accuſer, as he hath ſince been his moſt anxious advocate; but though he did uſe many endeavours to acquit Almas Ali of his intended flight, yet concerning his embezzlement and oppreſſions, the moſt important of all charges relative to that of the revenue and collection, he the ſaid Haſtings hath made no inquiry whatever, by which it might appear that he was not as fully guilty thereof as he had always repreſented him to be. But ſome time after he the ſaid Warren Haſtings had arrived at Lucknow, in the year 1784, he ſuggeſted to the ſaid Almas Ali Khân the *advance* to the Company's uſe of a ſum of money, amounting to fifty thouſand pounds, or thereabouts; and the ſaid ſuggeſted advance was (as the ſaid Warren Haſtings aſſerts, no witneſs or document of the tranſaction appearing) "chearfully, "and without heſitation, complied with, conſidering "it as an *evidence ſeaſonably* offered for the general re-"futation of the charges of perfidy and diſloyalty;"—which practice of charging wealthy perſons with treaſon and diſloyalty, and afterwards acquitting them, on the payment of a ſum of money, is highly ſcandalous to the honour, juſtice, and government of Great Britain; and the offence is highly aggravated by the ſaid Haſtings's declaration to the Court of Directors, that

that the charges against Almas Ali Khân have been too laboriously urged against him; and carried at one time to such an excess, which had nearly driven him to abandon his country, "*for the preservation of his life* "*and honour*;" and thus to give a "colour to the "charges themselves," when he the said Warren Hastings did well know, that he himself did consider as a crime, and did make it an article in a formal accusation against the Resident Middleton, that he did not inform him, the said Hastings, of the supposed treasons of Almas Ali Khân, and of his design to abandon the country, when he himself did most laboriously urge the charges against him; and when no attempt appears to have been made against the life of the said Almas Ali Khân, except by the said Warren Hastings himself.

LXXV.

That the sum of fifty thousand pounds sterling, or thereabouts, publicly taken by the said Warren Hastings, as an *advance* for the use of the Company, if given as a consideration or fine, on account of the renewal for a long term of civil authority and military command, and the collection of the revenues to an immense amount, the same being at least eight hundred thousand pounds sterling yearly, was so totally inadequate to the interest granted, that it may justly be presumed, it was not on that, or on any public ground or condition, that the said Hastings did delegate, out of all reach of resumption or correction, a lease of boundless power and enormous profit, for so long a term, to a known oppressor of the country.

LXXVI.

That Warren Hastings being at Lucknow in consequence of his deputation aforesaid, did, in his letter from that city, dated 30th of April 1784, recommend to the Court of Directors, "as his *last and ultimate* "*hope*, that their wisdom would put a *final* period to "the *ruinous and disreputable system* of interference, "whether

"whether *avowed or secret*, in the affairs of the Nabob of Oude; and withdraw *for ever the influence* by "which it is maintained;" and that they ought to confine their views to the sole maintenance of the old brigade stationed in Oude, by virtue of the first treaty with the reigning Nabob; expressing himself in the following words to the Court of Directors: "If you "transgress that line, you may extend the *distribution* "*of patronage, and add to the fortunes of individuals,* "and to the nominal riches of Great Britain; but "your *own* interests will suffer by it; and the *ruin of* "*a great and once-flourishing nation will be recorded as* "*the work of your administration, with an everlasting re-* "*proach to the British name.* To this reasoning I shall "join the *obligations of justice and good faith, which* "*cut off every pretext for your exercising any power or* "*authority in this country, as long as the Sovereign of* "*it fulfils the engagements he has articled with you.*"

LXXVII.

That it appears, by the extraordinary recommendation aforesaid, asserted by him the said Hastings to be enforced by the "*obligations of justice and good* "*faith,*" that the said Warren Hastings, at the time of writing the said letter, had made an agreement to withdraw the British interference, represented by him "as a ruinous and disreputable system," out of the dominions of the Nabob of Oude. But the instrument itself in which the said agreement is made (if at all existing) does not appear; nor hath the said Hastings transmitted any documents relative to the said treaty, which is a neglect highly criminal; especially as he has informed the Company, in his letter from Benares, "that he has promised the Nabob "that he will not abandon him to the *chance* of any "other mode of relation; and most confidently given "him assurance of *the ratification and confirmation* of "that which he [the said Hastings] had established "between his government and the Company:" the said *confident assurance* being given to an agreement never

never produced, and made without any ſort of authority from the Court of Directors; an agreement precluding, on the one hand, the operation of the diſcretion of his maſters in the conduct of their affairs; or, on the other, ſubjecting them to the hazard of an imputation on their faith, by breaking an engagement confidently made in their name, though without their conſent, by the firſt officer of their government.

That the ſaid Haſtings, farther to preclude the operation of ſuch diſcretionary conduct in the adminiſtration of this kingdom, as circumſtances might call for, has informed the Directors, that he has gone ſo far as even to condition the exiſtence of the revenue itſelf, with the excluſion of the Company, his maſters, from all interference whatſoever; for in his letter to Mr. Wheler, dated Benares, 20th September 1784, are the following words: "The Aumils [Collectors] demanded that a clauſe ſhould be inſerted in their engagements, that they were to be in full force for the complete term of their leaſes, *provided that no foreign authority* was exerciſed over them; or, in other words, *that their engagements were to ceaſe whenever they ſhould be interrupted in their functions by the interference of an Engliſh agent.* This requiſition was officially notified to me by the acting Miniſter, and referred to me in form by the Nabob Vizier, for my *previous* conſent to it: I encouraged it, and I gave my conſent to it." And the ſaid Haſtings has been guilty of the high preſumption to inform his ſaid Maſters, that he has taken that courſe to compel them not to violate the aſſurances given by him in their name:—"There is one condition [namely, the above condition] which *eſſentially connects the confirmation of the ſettlement itſelf with the intereſts of the Company.*"

LXXVIII.

That the ſaid Warren Haſtings, who did ſhew an indecent diſtruſt of the Company's faith, did endea-

vour, before that time, at other times, namely, in his instructions to the Secret Agent, Major Palmer, dated the 6th of May 1782, to limit the confidence to be reposed in the British Government to the duration of his own power, in the following words, in the 5th article: "It is very much my desire to impress the Nabob with "a *thorough* confidence in the faith and justice of our "Government; that is to say, *in my own*, while I am "at the head of it: I cannot be answerable for the acts "of others independent of me."

LXXIX.

That the said Warren Hastings did, in his letter, dated Benares, the 1st of October 1784, to the Court of Directors, write, "that if they [the Directors] manifested no *symptoms* of an *intended* interference, the "objects of his engagements will be obtained; but if "a different policy shall be adopted; if new agents "are sent into the country, and armed with authority "for the purposes of vengeance or corruption, *(for to "no other will they be applied)*; if new demands are "made on the Nabob Vizier, and accounts overcharged "on one side, with a wide latitude taken on the other, "to swell his debt beyond the means of payment; if "political dangers are portended, to ground on them "the plea of burdening his country with unnecessary "defences and enormous subsidies; or if, even abstaining from *direct encroachment on the Nabob's rights*, "your government shall shew but *a degree of personal "kindness to the partizans* of the late usurpation, or by "any constructive indication of partiality and dissatisfaction, *furnish* grounds for the *expectation* of an *ap-"proaching* change of system;—I am sorry to say that "all my labours will prove abortive."

LXXX.

That all the measures deprecated in future by the said Warren Hastings, with a reference to former conduct, in his several letters aforesaid, being (so far as the same are intelligible) six in number, have been all of them

them the proper acts and meaſures of the ſaid Warren Haſtings himſelf; for he did himſelf firſt of all introduce, and did afterwards continue and ſupport, that interference (which he now informs the Court of Directors "is ruinous and diſreputable, and which the "very *ſymptoms* of an *intention* to renew, he conſiders in "the higheſt degree dangerous);" he did direct, with a controlling and abſolute authority, in every department of government, and in every diſtrict in the dominions of the Nabob of Oude.—Secondly, The appointment of agents, which was eminently the act of his own adminiſtration; he not only retaining many agents in the country of Oude, both "*ſecret and* "*avowed*," but alſo ſending ſome of them, in defiance to the orders of that very Court of Directors, to whom, in his ſaid letter of the firſt of October 1784, he aſſigns "vengeance and corruption" as the only motives that can produce ſuch appointments. — Thirdly, That he the ſaid Warren Haſtings did inſtruct one of the ſaid agents, and did charge him, upon pain of "*a* "*dreadful reſponſibility*," to perform ſundry acts of violence againſt perſons of the higheſt diſtinction, and neareſt relation to the Prince; which acts were juſtly liable to the imputation of "*vengeance*" in the execution, and which he, in his reply to the defence of Middleton to one of his charges, did declare to be liable to the ſuſpicion of "*corruption* in the relaxation."—Fourthly, That he did raiſe new demands on the Vizier, "and overcharge accounts on one ſide, and take a wide "latitude on the other," by ſending up a new, and, before, unheard-of overcharge of four hundred thouſand pounds and upwards, not made by the Reſident, or admitted by the Vizier; and by adding the ſame, did ſwell his debt "beyond the means of payment;" and did even inſert, as the ninth article of his charge againſt Middleton, "his omitting to take any notice "of the additional balance of rupees 26,48,571, ſtated "by the Accountant General to be due from the "Vizier on the 30th of April 1780;" to which he did add 14 lacks more, making together the above ſum.—Fifthly, That he the ſaid Warren Haſtings did aſſign

"political dangers" in his minute of the 13th of December 1779, for burdening the ſaid Nabob of Oude "with unneceſſary defences and enormous ſubſidies;" with regard to which he then declared, that "it was "*our* part, not *his* (the Nabob's) to judge and to de-"termine."—And ſixthly, That he did not only ſhew the *deſign*, but the *fact* of perſonal kindneſs to the partizans of what he here calls, as well as in another letter, and in one minute of conſultation, a "late uſur-"pation," he having rewarded the principal and moſt obnoxious of the inſtruments of the ſaid late uſurpation (if ſuch it was) Richard Johnſon, Eſquire, with an honourable and profitable embaſſy to the Court of the Nizam.

LXXXI.

That the ſaid Warren Haſtings, therefore, by aſſuming an authority which he himſelf did conſider as an *uſurpation*, and by acts, in virtue of that uſurped authority, done in his own proper perſon, and by agents appointed by himſelf, and proceeding (though with ſome mitigation, for which one of them was by him cenſured and accuſed) under his own expreſs and poſitive orders and inſtructions, and thereby eſtabliſhing, as he himſelf obſerved, "a ſyſtem of interference, diſreputable and "ruinous, which could only be ſubſervient to promote "patronage, private intereſt, private embezzlement, "corruption, and vengeance," to the public detriment of the Company, "and to the ruin of a once-flouriſhing "nation, and eternally reproachful to the Britiſh "name;" and for the evil effects of which ſyſtem, "as "his ſole and ultimate hope" and remedy, he recommends an entire abdication for ever, not only of all power and authority, but even of the interference and influence of Great Britain; — is guilty of an high crime and miſdemeanor.

LXXXII.

That the ſaid Warren Haſtings, in his letter from Chunar of the 29th of November 1781, has repre-

ſented

ſented that very influence and interference (which in three public papers he denominates "*a late uſurpation*") as being authorized by a regular treaty and agreement, voluntarily made with the Nabob himſelf, at a place called Chunar, on the 19th of September 1781, a copy of which hath been tranſmitted to the Court of Directors; and that three perſons were preſent at the execution of the ſame, two whereof were Middleton and Johnſon, his agents and reſidents at Oude; the third, the Miniſter of the Nabob. And he did, in his paper written to the Council General, and tranſmitted to the Court of Directors, not only declare that the ſaid interference was agreed to by the ſaid Nabob, and ſealed with his ſeal, but would be highly beneficial to him; aſſuring the ſaid Council, "that if the Reſident performed his duty, in the execution of his [the ſaid Haſtings's] inſtructions, the Nabob's part of the engagement will prove of ſtill greater benefit to him than to our Government, in whoſe behalf it was exacted; and that the *participation* which is allowed our Reſident in the *inſpection* of the public treaſure, will ſecure the receipt of the Company's demands, whilſt *the influence which our Government will ALWAYS poſſeſs over the public miniſter of the Nabob, and the authority of our own*, will be an effectual means of ſecuring an attentive and faithful diſcharge of their ſeveral truſts, both towards the Company and the Vizier."

LXXXIII.

And the ſaid Warren Haſtings did not only ſettle a plan, of which the agency and interference aforeſaid was a part, and aſſert the beneficial conſequences thereof, but did alſo record, that the ſame "was a great public meaſure, conſtituted on a large and *eſtabliſhed ſyſtem*, and deſtructive in its inſtant effects of the intereſt and fortune of many patroniſed individuals;" and, in conſequence of the ſaid treaty, he the ſaid Warren Haſtings did authorize and poſitively require his agent aforeſaid to interfere in, and control and regulate, *all the Nabob's*

Nabob's affairs whatſoever; and the ſaid Warren Haſtings having made for the Company, and in its name, an acquiſition of power and authority, even if it had been abuſed by others, he ought to have remedied the abuſe, and brought the guilty to condign puniſhment, inſtead of making another treaty, without their approbation, conſent, or knowledge, and to this time not communicated to them; by which it appears he has annulled the former treaty, and the authority thereby acquired to the Company, as a grievance and uſurpation; to which, from the general corruption of their ſervice, no other remedy could be applied than a formal renunciation of their power and influence; for which ſaid actings and doings the ſaid Warren Haſtings is guilty of an high crime and miſdemeanor.

LXXXIV.

That the Company's army in India is an object requiring the moſt vigilant and conſtant inſpection, both to the happineſs of the natives, the ſecurity of the Britiſh power, and to its own obedience and diſcipline, does require that inſpection, in proportion as it is removed from the principal ſeat of Government; and the number and diſcipline of the troops kept up by the native Princes, along with Britiſh troops, is alſo of great moment and importance to the ſame ends: That Warren Haſtings, Eſquire, pretending to purſue the ſame, did, in virtue of an authority acquired by the treaty of Chunar aforeſaid, give ſtrict orders, and to which he did demand *a moſt implicit obedience*, that *all* officers of the Nabob's army ſhould be appointed "with *the concurrence of the Reſident*;" and ſuppoſing the caſe, that perſons of obnoxious deſcription, or of known diſaffection to the Britiſh Government (of which he left the Reſident to be the Judge) he did direct in the following words: "You are in ſuch caſe to remonſtrate "againſt it; and if the Vizier ſhould perſiſt in his "choice, you are peremptorily, *and in my name*, to oppoſe it as *a breach of his agreement*;" and he did alſo direct, that the "Mootiana [or ſoldiers employed for the

"the collection of revenue] should be reformed, and "reduced into one corps for the whole service; and "that *no* infantry should be left in the Nabob's service, "but what may be necessary for his body guard;"— and he did farther order and direct as follows: "That "in quelling disturbances, the Commander of the "forces should assist you [the said Resident] on the re-"quisition of the Vizier, communicated through you "to him [the said Commander] *or at your own single "application.* It is directed, that the regiment ordered "for the immediate protection of your office and per-"son, at Lucknow, shall be relieved every three "months, and during its stay there shall act solely and "exclusively under your orders." And it appears, in the course of the Company's correspondence, that the country troops, under the Nabob's sole direction, would be ill-disciplined and unserviceable, if not worse; and therefore the said Warren Hastings did order, that "no "infantry should be kept in his service;" yet it appears that the said Warren Hastings did make an arrangement for a body of native troops, wholly out of the control or inspection of the British Government, and left a written order in the hands of Major Palmer (one of *his* agents, who had been continued there, though the Company was not permitted to employ any) to be transmitted to Colonel Cumming, as soon as an adequate force shall be provided *for the defence of the Nabob's frontier*, by detachments from the *Nabob's own battalions*, the said Colonel Cumming's forces, whom the others were to supersede and replace, consisting wholly of infantry, and which, being intended for the same service, were probably of the same constitution.

LXXXV.

That the old brigade of British troops, which by treaty was to remain, had been directed, by the instructions of the said Hastings to the Resident Middleton, and to the Resident Bristow, "not to be employed at "the requisition of the Vizier, any otherwise than "through the Resident;" and the said direction was properly

properly given, it not being fit that Britiſh troops ſhould be under the ſole direction of foreign independent Princes, or of any other than the Britiſh Government; yet, notwithſtanding the proper and neceſſary direction aforeſaid, he the ſaid Warren Haſtings hath left the ſaid troops, by his new treaty, without any local control, or even inſpection, notwithſtanding his powers under the treaty of Chunar, and his own repeated orders; and notwithſtanding the miſchiefs and dangers which the ſaid Warren Haſtings did foreſee would reſult therefrom, if left under the ſole direction of the Nabob, and their own diſcretion, the ſaid Haſtings having ſtipulated with the ſaid Nabob not to exerciſe any authority, or even influence, *ſecret* or *avowed*, within his dominions.

LXXXVI.

That the crime of the ſaid Warren Haſtings, in attempting thus to abandon the Britiſh army to the ſole diſcretion of the Nabob of Oude, is exceedingly aggravated by the deſcription given by him ſeverally of the ſaid Nabob of Oude, and of the Britiſh army ſtationed for the defence of his dominions; in his letters to the Court of Directors, and in his minutes of conſultation, and particularly in his letter of

immediately on the acceſſion of the Nabob, he did inform the ſaid Court, "that the Nabob had not, by all accounts, the qualities of the "head or heart which fitted him for that office, though "there was no diſpute concerning his right to ſucceed;" and ſome years afterwards, when his accounts muſt have been rendered more certain, he did, in his minute of conſultation, of the 15th of December 1779, (regularly tranſmitted to the Court of Directors) upon a diſcuſſion for withdrawing certain troops, kept up in the Nabob's country without his conſent by him the ſaid Warren Haſtings, ſtrongly urge as follows: "The "*neceſſity* of maintaining the influence and force which "we poſſeſs in the country, that the diſorders of his "ſtate [the Nabob of Oude's ſtate] and diſſipation of

"his

" his revenues, are the effects of his own conduct, " which has failed, not so much from the usual effects " of *incapacity*, as from the detestable choice he has " made of the ministers of his power, and the parti- " cipation of his confidence. I forbear to expatiate " farther on his character: it is sufficient that I am " understood by the members of this Board, who must " know the truth of my allusions. Mr. Francis [a " member of the Board] surely was not aware of the " injury he did me [Warren Hastings] by attributing " to the spirit of party the character I gave Asuph ul " Dowlah [the Nabob of Oude] he himself knows it " *to be true; and it is one of those notorieties which super-* " *sede the necessity of any evidence. I was forced to the* " *allusion I made, by the imputation cast on this Govern-* " *ment, as having caused the evils which prevail in the* " *Government of the Nabob of Oude, which I could only* " *answer by ascribing them to their true cause, the charac-* " *ter and conduct of the Nabob of Oude.*" And the Resident (appointed by the said Hastings, against the orders of the Court of Directors) as his particular confidential representative, one whom the said Nabob did himself request might be continued with him, *by an engagement in writing, for ever*, did some time before, that is, on the 3d of January 1779, assure the said Hastings and the Council General, " that such is his Excel- " lency's [the Nabob of Oude's] disposition, and so " entirely has he lost the confidence and affections of " his subjects, that unless some restraint is imposed on " him, which would effectually secure those who live " under the protection of his government from vio- " lence and oppression, I am but too well convinced, " that no man of reputation or property will long con- " tinue in these provinces." And that the said Resident proceeds to an instance of oppression and rapine, " out of *many* of the Nabob's, which has caused a total " disaffection and want of confidence among his sub- " jects; he hoped the Board would take it into their " humane consideration, and interpose their *influence*, " and prevent an act which would inevitably bring " disgrace upon himself, and a proportionable degree

"of diſcredit on the national character of the Engliſh, "which I conſider to be more or leſs concerned in "every act of his adminiſtration."

LXXXVII.

That no exception was ever taken by the ſaid Warren Haſtings to the truth of the facts, or to the juſtneſs of the obſervation of the ſaid Reſident, which he did tranſmit to the Court of Directors. And the ſaid Warren Haſtings, in his letter from Chunar, dated the 29th of November 1781, ſpeaking of the reſtraints which had been put by him the ſaid Haſtings on the Nabob, relative to his own Mootiana, or forces for collection and police, and the neceſſity of giving the Reſident a control in the nomination of the officers of his army, has aſſerted, "that the neceſſity of the reſervation aroſe from a too-well-known defect in the Nabob's character; if this *check* be withdrawn, and the "choice left abſolutely to the Nabob, the firſt commands in his army will be filled with the moſt worthleſs and abandoned of his ſubjects;—his late Commander in Chief is a ſignal and ſcandalous inſtance "of this."

LXXXVIII.

And the ſaid Warren Haſtings, in his letter to the Court of Directors, dated Benares, the 15th of October 1784, even after he had made the aforeſaid renunciation of the Company's authority and influence to the Nabob, did write, "that the Nabob, though moſt "gentle in his manners, and endued with an under- "ſtanding much above the common level, has been "*unfortunately bred up in habits* that draw his attention "too much from his own affairs, and often ſubject him "to the guidance of *inſidious and unworthy confidants*;" which, though more decently expreſſed, with regard to the Nabob, than in his former minutes, ſubſtantially agrees with them. And the ſaid Warren Haſtings did inform the Court of Directors, after he had ſolemnly covenanted to withdraw all the Company's influence,

on

on the assurances and promises of a person so by himself described, that, for reasons grounded on his knowledge of the imbecility of the character of the Nabob, he waited in a frontier town, "that he might be at "hand to counteract any attempt to defeat the effect "of his proceedings at Lucknow;" and in his letter to Mr. Wheler from the same place, he did write in the following words: "I am still near enough to attend "to the first effects of the execution, and to interfere "with my influence for the removal of any obstruc-"tions to which they are or may be liable." He therefore found that there was none, or but an insufficient security to the effect of his treaty, but in his own direct personal violation of it. What otherwise was wanting in the security for the Nabob's engagements, was to be supplied as follows: "The most respectable "persons of his family will be employed to counteract "every other which may tend to warp him from it; "and I am sorry to say *that such assistance was wanting*." And in another letter, "that he had equal ground to "expect every degree of support which could be given "it by the *first characters of his family*, who are warmly "and zealously interested in it." The principal male character of the family, and of the most influence in that family, being *Salar Jung*, uncle to the Nabob; and the first female characters of the family, being the mother and grandmother of the reigning sovereign; all of whom, male and female, he the said Warren Hastings, in sundry letters of his own, in the transmission of various official documents, and even in affidavits studiously collected, and sworn before Sir Elijah Impey during his short residence at Lucknow and Benares, did himself represent as persons entirely disaffected to the English power in India, as having been principal promoters, if not original contrivers, of a general rebellion and revolt, for the utter extirpation of the English nation; and, as such, he the said Warren Hastings did compel the Nabob reluctantly to take from them their landed estates; and yet the said Warren Hastings has had the presumption to attempt to impose on the East-India Company, by pretending to

place his reliance on thoſe three perſons for a ſettlement favourable to the Company's intereſts, on his renunciation of all their own power, authority, and influence, and on his leaving their army to the ſole and uncontrolled diſcretion of a ſtranger, meriting, in his opinion, the deſcription given by him as aforeſaid, as well as by him frequently aſſerted to be politically incapable of ſupporting his own power, without the aid of the forces of the Company. And the offence of the ſaid Warren Haſtings, in abandoning a conſiderable part of the Britiſh army in the manner aforeſaid, is much increaſed by the deſcription which he has himſelf given of the ſtate of the ſaid army, and particularly of that part thereof which is ſtationed in the Nabob of Oude's dominions. For he did himſelf, on the 29th of November 1781, tranſmit the information following on that ſubject to the Court of Directors, namely, "that the remote ſtations of thoſe troops, placing the "commanding officers beyond the notice and control "of the Board [the Council General] at Calcutta, af-"forded too much of opportunity and temptation for "unwarrantable *emoluments, and excited the contagion of* "*peculation and rapacity throughout the whole army*; a "moſt remarkable inſtance, and uncontrovertible proof "of the prevalence of this ſpirit, has been ſeen in the "Court Martial upon Captain Erſkine, where the Court, "compoſed of officers of rank and reſpectable charac-"ters, unanimouſly and honourably, (*moſt* honourably) "upon an acknowledged fact, acquitted him, which, "in times of ſtricter diſcipline, would have been "deemed a crime deſerving the ſevereſt puniſhment." From which repreſentation (if the ſaid Warren Haſtings did not falſely and unjuſtly accuſe and ſlander the Company's ſervice) it appeared, that the peculation which infected the whole army, derived from the taint which it had in Oude, and ſo fatal to the diſcipline of the troops, would be dangerouſly increaſed by his treaty and agreement aforeſaid with the Nabob, and by his own ſaid evil counſel to the Court of Directors.

LXXXIX. That

LXXXIX.

That it appears, after the ſaid Warren Haſtings had, on grounds ſo diſgraceful to the Britiſh nation and Government, agreed to remove for ever the Britiſh influence and interference from the Government of Oude, on account of the diſorders in the ſaid Government, ſolely produced by his own criminal acts and criminal connivances, that he did overturn his own ſettlement as ſoon as he had made it; and did, after he had aboliſhed the Company's Reſidency as a grievance, wholly violate his own ſolemn agreement; for he did, for his private purpoſes, continue therein his own private agent, Major Palmer, with a number of officers and penſioners, at a charge to the revenues of the country greatly exceeding that of the eſtabliſhment under Mr. Briſtow, which he did repreſent as frightfully enormous, and which he pretended to remove; the former amounting to 112,950l., the latter only to 64,202l.

XC.

That his own ſecret agent, Major Palmer, did receive a ſalary or allowance equal to 22,800l. a year out of the diſtreſſed province of Oude; and this the ſaid Palmer did declare not to be more than he abſolutely did really and *bona fide* ſpend; and that he had retrenched conſiderably "in ſome of the articles, ſince the ex-"pence has been borne by the Vizier, and in every "particular he made as little parade and appearance as "his ſtation would admit," his ſtation being that of the ſaid Warren Haſtings's private agent. But if the ſaid large ſalary muſt be conſidered as merely equal to the expences, large ſecret emoluments muſt be preſumed to attend it, in order to make it a place advantageous to the holder thereof. That the ſaid Palmer did apply to the Board at Calcutta for a new authority to continue the ſaid eſtabliſhments, he conceiving their continuance, "after the period of the Governor Gene-"ral's departure, depended upon the pleaſure of the "Board, and not upon the *authority of the Governor Ge-"neral, under the ſanction of which they were eſtabliſhed "or confirmed.*"

XCI. That

XCI.

That the ſaid Warren Haſtings, in order to ruin the Reſident Briſtow, and to juſtify himſelf for his former proceedings reſpecting him, did bring before the Board a new charge againſt him, for having paid a large eſtabliſhment of offices and penſions to the Company's ſervants from the revenues of Oude; and the ſaid Briſtow, in making his defence againſt the charge aforeſaid, did plead, that he had found all the allowances or almoſt eſtabliſhed before his laſt appointment to the Reſidency; that they had grown to that exceſs in the interval between his firſt removal by the ſaid Warren Haſtings and his re-appointment; and having adduced many reaſons to make it highly improbable that the ſaid Haſtings was perfectly well acquainted with it, and did approve of the expenſive eſtabliſhments which he the ſaid Briſtow ſimply had paid, but not impoſed, he did alledge, beſides the official aſſurances of his predeceſſor, Middleton, certain facts, as amounting to a direct proof that the Governor General, Warren Haſtings, was not averſe to the Vizier's granting large ſalaries to more than one European gentleman; and the firſt inſtance was to Mr. Thomas, a ſurgeon, who, excluſive of his pay from the Company, which was 1440l. a year, claimed from the Vizier, with Mr. Haſtings's knowledge, the ſum of 9763l. a year, and upwards, making together 11,203l. per annum. The next was Mr. Trevor Wheler, who did receive upon the ſame eſtabliſhment, when he was fourth aſſiſtant at Oude, 6,000l. a year; and which laſt fact the ſaid Haſtings has admitted upon record, "that the accuſations of Mr. Briſtow and Mr. Cowper, did *oblige* and *compel* him to acknowledge," denying at the ſame time that the allowance of the Reſidents Middleton and Briſtow, except in this ſingle inſtance, were ever authoriſed by him; whereas his own agent, Palmer, did, in his letter of the 27th of March 1785, repreſent, that the ſaid ſalaries and allowances (if not more and larger) were by him authoriſed or confirmed.

XCII. That

XCII.

That the aforefaid Briftow, did alfo produce the following letter, in proof that Mr. Haftings knew and approved of large falaries to Britifh fubjects upon the revenues of Oude; and which he did declare, that nothing but the neceffity of felf-defence could have induced him to produce.

"Dear Briftow,

"Sir Eyre Coote has fome field allowances to receive "from the Vizier; they amount to Sicca rupees 15,554 "per month; and he has been paid up by the Vizier "to the 20th of Auguft 1782. The Governor has "directed me to write to you, to requeft you to receive what is due from the Vizier from the 20th of "Auguft laft, at the rate of Lucknow Sicca rupees "15,554 per month, and fend me a bill for the amount, "the receipt of which I will acknowledge in the capacity of Sir Eyre Coote's attorney; and the Governor defires, that you will continue to receive Sir "Eyre Coote's field allowances at the fame rate, and "remit the money to me as it comes in.

"Calcutta, January 25, 1783. (Signed

CHARLES CROFTES."

XCIII.

That Sir Eyre Coote aforefaid was, at the time of the faid field allowances, not ferving in the country of Oude, on which the faid allowances were charged, but in the Carnatic.

XCIV.

That from the declaration of the faid Haftings himfelf, that it was the conviction of Mr. Briftow and Mr. Cowper, that could alone *oblige* and *compel* him to *acknowledge* certain of his aforefaid practices, and that nothing *but the neceffity of felf defence* could have induced Mr. Briftow to make public another, and much ftronger inftance of the fame, it is to be violently prefumed, that where thefe two, or either, or both, neceffities did not exift, many evil and oppreffive practices of the faid Haftings do remain undifcovered. That if it had not been for the contefts between him the faid Haftings,

Haſtings, and the Reſident Briſtow, not only the before-mentioned particulars, but the whole of the expenſive civil eſtabliſhments for Engliſh ſervants at Oude, would have been for ever concealed from the Directors, and from Parliament; and yet the ſaid Haſtings, has had the audacity to pretend ſo complete an ignorance of the facts, that, repreſenting the Vizier as objecting to the largeneſs of the payments made by Briſtow, and ſtating a very reduced liſt, which he was willing to allow for, amounting to 30,000l. a year, the ſaid Haſtings did affect to be alarmed at the magnitude even of the liſt ſo curtailed, expreſſing himſelf as follows, in his minute of the 7th of December 1784 — "For "my own part, when the Vizier's Miniſter firſt in-"formed me, that the amount which his maſter had "authoriſed, and was willing to admit, for the charges "of the Reſidency, and the allowances of the gentle-"men at Lucknow, was 25,000 rupees per month, I "own I was ſtartled at the magnitude of the ſum, "and was ſome days heſitating in my mind, whether "I could with propriety admit of it:" whereas he well knew, that the three ſums alone, of which the neceſſities aforeſaid had compelled the diſcovery, did greatly exceed that ſum, of which, at the firſt hearing, he affects to be exceedingly alarmed, and thrown into a ſtate of heſitation, which continued for ſome days; and although he, the ſaid Haſtings, was conſcious that he had, at the very time, authoriſed an eſtabliſhment to more than four times the amount thereof.

XCV.

That in the ſaid deceits, prevarications, contradictions, malicious accuſations, fradulent concealments, and compelled diſcoveries, as well as in the ſaid ſecret, corrupt, and prodigal diſpoſition of the revenues of Oude, as well as his breach of faith to the Nabob, in continuing expenſive eſtabliſhments, under a private agent of his own, after he had agreed to remove the Company's agent, the ſaid Warren Haſtings is guilty of an high offence and miſdemeanor.